

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 7, "An Act making a donation of all of the net amount of State ad valorem taxes collected on property situated in and from rolling stock on railroads apportioned to Calhoun County, Texas, to the City of Port Lavaca, Texas, to enable the City to construct, repair, and improve sea walls, breakwaters, and harbors, to prevent continuing and recurring calamitous overflows; providing for reports by the Assessor and Collector of Taxes to Comptroller and providing for disposition of moneys collected by him; authorizing said City to issue bonds subject to the provisions and limitations contained in this Act; prescribing a penalty for diversion of such State donated funds; enacting other provisions relating to the subject; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 73, "An Act amending Article 802 of the Penal Code of Texas, as amended by Acts of the Second Called Session of the Legislature in 1923, as amended by Acts of 1935, Forty-fourth Legislature, First Called Session, Chapter 424, as amended by the Acts of 1937, Forty-fifth Legislature, Chapter 60, providing that any person who drives or operates an automobile or other motor vehicle upon any public road or

highway, or upon any street or alley within the limits of an incorporated city, town or village, while such person is intoxicated or under the influence of intoxicating liquor, shall be guilty of a misdemeanor, reducing the maximum penalty provided in said Article from a penitentiary offense to a fine or jail sentence, and increasing the minimum penalty thereof; and further amending the Penal Code of Texas by adding two new sections to be known as Articles 802b and 802c making the driving and operating of an automobile or other motor vehicle upon the public highways in this State, after a previous conviction of driving an automobile or other motor vehicle while intoxicated upon the public highways in this State, a felony, and prescribing a penalty for violation thereof, and by providing that if any person who shall drive or operate an automobile or other motor vehicle upon the public highways in this State while intoxicated, and while so driving and operating said automobile or other motor vehicle shall through accident or mistake do another act which if voluntarily done would be a felony, shall receive punishment affixed to the felony actually committed; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

SENT TO THE GOVERNOR

May 29, 1941

House Concurrent Resolution No. 180.

House Concurrent Resolution No. 171.

House Bill No. 968.

House Bill No. 1026.

House Bill No. 576.

EIGHTY-SECOND DAY

(Monday, June 2, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and

was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

|                  |                  |
|------------------|------------------|
| Mr. Speaker      | Hardeman         |
| Allison          | Hargis           |
| Alsup            | Harris of Dallas |
| Avant            | Hartzog          |
| Bailey           | Heflin           |
| Baker            | Helpinstill      |
| Bean             | Henderson        |
| Bell             | Hileman          |
| Benton           | Hobbs            |
| Blankenship      | Howard           |
| Boone            | Howington        |
| Brawner          | Hoyo             |
| Bray             | Huddleston       |
| Bridgers         | Hughes           |
| Brown            | Hutchinson       |
| Bruhl            | Isaacks          |
| Bullock          | Jones            |
| Bundy            | Kelly            |
| Burkett          | Kennedy          |
| Burnaman         | Kinard           |
| Carlton          | King             |
| Carrington       | Klingeman        |
| Cato             | Knight           |
| Chambers         | Lansberry        |
| Clark            | Lehman           |
| Cleveland        | Leyendecker      |
| Coker            | Little           |
| Colson, Mrs.     | Lock             |
| Craig            | Love             |
| Crossley         | Lucas            |
| Crothwait        | Lyle             |
| Daniel           | McAlister        |
| Davis            | McCann           |
| Deen             | McDonald         |
| Dickson of Bexar | McGlasson        |
| Dickson of Nolan | McMurray         |
| Donald           | McNamara         |
| Dove             | Manford          |
| Duckett          | Manning          |
| Dwyer            | Markle           |
| Ellis            | Martin           |
| Eubank           | Matthews         |
| Evans            | Montgomery       |
| Favors           | Moore            |
| Ferguson         | Morgan           |
| Files            | Morris           |
| Fitzgerald       | Murray           |
| Fuchs            | Pace             |
| Gandy            | Parker           |
| Garland          | Pevehouse        |
| Gilmer           | Price            |
| Goodman          | Rampy            |
| Halsey           | Reed of Bowie    |
| Hanna            | Reed of Dallas   |

|                   |             |
|-------------------|-------------|
| Ridgeway          | Stinson     |
| Rhodes            | Stubbs      |
| Roark             | Taylor      |
| Roberts           | Thornton    |
| Senterfitt        | Turner      |
| Sharpe            | Vale        |
| Shell             | Voigt       |
| Simpson           | Walters     |
| Skiles            | Wattner     |
| Smith of Bastrop  | Weatherford |
| Smith of Atascosa | White       |
| Spacek            | Whitesides  |
| Spangler          | Winfree     |
| Stanford          |             |

#### Absent

Sallas

#### Absent—Excused

|                |           |
|----------------|-----------|
| Allen          | Lowry     |
| Celaya         | McLellan  |
| Connelly       | Mills     |
| Harris of Hill | Morse     |
| Huffman        | Nicholson |
| Humphrey       | Phillips  |
| Kersey         |           |

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"O Lord, our God, how excellent is Thy name in all the earth! We praise Thee for Thy goodness to us. Do Thou open our eyes to see the great issues before us as we meet again; and may we have co-operative spirits and clear vision as we would close the work of this session. Wilt Thou lead our nation in these critical days. In Jesus' name. Amen."

#### LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Celaya for today on motion of Mr. Bundy.

Mr. Connelly for today on motion of Mr. Moore.

Mr. Kersey for today on motion of Mr. Carlton.

Mr. Allen for today on motion of Mr. Markle.

Mr. Harris of Hill for today on motion of Mr. Bullock.

Mr. Rhodes for this morning on motion of Mr. Fuchs.

Mr. Phillips for today on motion of Mr. Reed of Dallas.

Mr. Lowry for today on motion of Mr. Thornton.

Mr. McLellan for today on motion of Mr. Walters.

Mr. Mills for today and the balance of the week on motion of Mr. Brawner.

Mr. Huffman for today on motion of Mr. Isaacks.

The following Members were granted leaves of absence on account of illness:

Mr. Morse for today on motion of Mr. Little.

Mr. Nicholson for today and the remainder of the week on motion of Mr. Burkett.

Mr. Humphrey for today on motion of Mr. Rampy.

#### COMMUNICATION

The Speaker laid before the House and had read the following communication:

May 31, 1941.

Honorable Homer L. Leonard,  
Speaker of the House of Representatives,  
Austin, Texas.

Dear Sir:

We, the sons and daughters of Mrs. S. W. Billingsley, wish to extend to you and other members of the present Legislature our sincere appreciation of your kindness and thoughtfulness in passing a Resolution in memory of our beloved Mother.

Respectfully yours,

K. C. BILLINGSLEY,  
T. G. BILLINGSLEY,  
MRS. R. B. MORRIS,  
MRS. R. R. SAPP.

#### HOUSE BILL ON FIRST READING

Mr. Stanford asked unanimous consent to introduce at this time and

have placed on first reading House Bill No. 1074.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Stanford and Mr. Carrington:

H. B. No. 1074, A bill to be entitled "An Act to amend Section 8, Chapter 42, Acts of the 41st Legislature, 2nd Called Session, as amended by Section 9, Chapter 282, Acts of the 42nd Legislature, Regular Session, prescribing the rate and speed of motor or other vehicles upon the public highways of Texas, and within the corporate limits of an incorporated city or town, and within any town or village not incorporated; prescribing the rate of speed for a commercial motor vehicle, truck-tractor, trailer or semi-trailer; defining the terms "daytime" and "night-time"; providing that no persons shall drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions then existing and making unlawful the act of driving so as to willfully obstruct traffic; authorizing the State Highway Commission to fix the maximum, reasonable and prudent speed under described circumstances upon the basis of an engineering and traffic investigation and requiring the Commission to give notice thereof by the erection of appropriate signs; authorizing the governing bodies of incorporated cities and towns to fix the maximum speed within their jurisdiction under certain circumstances; requiring the charge of speed violations and the summons to specify the rate of speed at which the person charged was driving and the speed limit applicable thereto; providing that the provision of this Act shall not relieve the plaintiff in any civil action from the burden of proving negligence as the proximate cause of any accident; providing a savings clause, repealing all laws in conflict, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

**BILL ORDERED NOT PRINTED**

On motion of Mr. Stanford House Bill No. 1074 was ordered not printed.

**RELATIVE TO GOVERNMENTAL COSTS AND TAXATION**

Mr. McAlister offered the following resolution:

H. S. R. No. 311, Relative to governmental costs and taxation.

Whereas, It has become increasingly evident, due to state, national and world wide conditions, that it is imperative for the Texas public, candidates for all state office and for the Legislature to discontinue urging further tax increases, for we not only have reached the tax ceiling but we have gone into the stratosphere; and

Whereas, The tax saturation point has been reached and if carried further it will stop development of Texas industries and make it so difficult for existing industries that they in all likelihood will close down as a matter of self-protection, in which event many thousand will be thrown out of jobs and the state will lose enormous revenues; and

Whereas, When government already is getting 25 percent of gross proceeds and more taxes are threatened, due to national defense, it challenges the serious thought and patriotism of everyone for the future, and Texas has a big future unless we unthinkingly kill it; and

Whereas, In this country to survive we must have freedom of speech, freedom of the press and freedom of business enterprise, as guaranteed by our constitution, the three forming the keystone of Democracy and prosperity and to force government costs to such extremes that extreme taxes are necessary, and to saddle these taxes on a few selected industries is not the American way of life and can lead only to economic upheaval and disaster; and

Whereas, The Forty-seventh Legislature has levied sufficient new taxes for all the needs of state government for ten years or more unless we become spendthrift and wasteful, and continue tax and gov-

ernment cost increases will make the people lose faith in government. The annual cost of the Texas State Government is now approximately \$200,000,000 annually, 4,000 percent greater than when Joseph D. Sayers was Governor, and 2,000 percent greater than 20 years ago. Because the Legislature has the right to tax is no excuse to destroy; and

Whereas, This is offered as a warning to the public, to civic and all other organizations, to office holders, legislators and legislatures of the future that the time has arrived when we must unite to prevent further punitive taxes against our needed industries before they are lost to Texas. The time has arrived when we must stop political demagoguery on the stump against the life-blood of Texas—our industries. If they are destroyed where will labor get jobs, and where will the farmer get his market?; and

Whereas, Texas must learn a lesson from the experience of the recent past. Chile, which captured the world market for nitrates lost it all because it raised the tax exorbitantly on a ton and other countries therefore developed their own nitrates. This and other states are so forcing upward the tax on oil and sulphur that other countries already are seizing these markets. Venezuela today has increased its oil shipments to 250,000 barrels daily, depriving the Texas market of that amount. There is no proration and practically no oil tax in Venezuela; and

Whereas, We have lost our world cotton market by too much restriction and regulation and other countries lost no time in taking advantage of this and raising their own cotton at cheaper prices. Our livestock market has been severely crippled by the exports from the Argentine, and Mexico is developing mercury to compete with our product. Other countries are developing sulphur, and if we do not call upon our citizens to crusade against such suicidal course it will be too late. We have gone to absurd limits on taxation, proration, appropriation and strangulation with a blitheness that will amaze the coming generation; and

Whereas, We have in East Texas deposits of 200,000,000 tons of iron ore awaiting development, but nothing is attempted. We have in West Texas enormous deposits of potash, but we make no use of it, and these two products are essential in everyday life as well as in warfare. Business enterprise is becoming fearful of taxation and regulation and risks no investment. Legislatures have been too prone to look upon business as something illegitimate and which should be punished for daring to operate at a profit. So Texas lags behind, and no one seems to care except a few here and there who are afraid to raise their voices for fear of being denounced publicly and in the press, and with the result that this State and the people of this State are the victims; now therefore, be it

Resolved by the House of Representatives of the Forty-seventh Legislature, That we have completely fulfilled our obligation to social security, and stand pledged to oppose any further increase in State government costs and taxation; and be it further

Resolved, That this House is fully cognizant of the emergency resulting from the world war and need of national defense, the need of industrial development, and therefore realize that this Legislature and Congress must economize on domestic needs regardless in order to support the president and our foreign policy that Democracy shall be preserved; and be it further

Resolved, That copies of this resolution shall be forwarded by the Chief Clerk of the House to all members of the Texas Delegation in Congress, to Vice President Wallace and to Speaker Rayburn of the National House of Representatives.

McALISTER,  
KERSEY,  
HUMPHREY.

The resolution was read second time.

Mr. Morris offered the following amendment to the resolution:

Amend House Simple Resolution No. 311 by adding in the resolving clause at the end of the word "taxation" the following:

"and that the social security problem has been solved by the legislature only."

The amendment was lost.

Mr. Morgan moved that the resolution be referred to the Committee on State Affairs.

Mr. McAlister moved to table the motion to refer.

The motion to table was lost.

Question then recurring on the motion to refer the resolution to the Committee on State Affairs, it prevailed.

#### RELATIVE TO CERTAIN OFFICE SPACE IN CAPITOL BUILDING

Mr. Alsup offered the following resolution:

H. S. R. No. 313, Relative to Certain Office Space in Capitol Building.

Whereas, Not only the Social Security needs and other acute problems of the State but also the crying demands of a National Emergency have necessitated a more complex legislative program, which has developed new duties for the Membership of the House of Representatives; and

Whereas, These new duties have necessitated the employment of additional secretaries, clerks and other employees; and

Whereas, These employees can best fill their positions, execute their duties and service when ample working space is provided; and

Whereas, At the present time adequate room is not provided to efficiently maintain important departments of the House of Representatives; and

Whereas, Other departments of the State Government have encroached upon the rights of the House by using the rooms and space on the third floor of the Capitol Building above the House Chamber for purposes other than the housing of employees of the Legislature; and

Whereas, The aforementioned

rooms and other space on the third floor of the Capitol Building above the House Chamber are available and the property belonging to and to be used at the discretion of the House of Representatives;

Now, therefore, be it resolved, That the Chairman of the Contingent Expense Committee be authorized to take the necessary steps to acquire the aforementioned space at any time it would be directed toward the best interest of the House of Representatives.

The resolution was read second time and was adopted.

#### MEMORIALIZING CONGRESS IN REGARD TO NECESSITY OF SHIPYARDS

Mr. Manford offered the following resolution:

H. S. R. No. 315, Memorializing Congress in Regard to Necessity of Shipyards.

Whereas, The United States of America is confronted with the greatest emergency in its history; and

Whereas, The President of the United States has proclaimed an "Unlimited National Emergency"; and

Whereas, The very fabric of our civilization and the American way of life is threatened by the totalitarian doctrine of dictator-ridden nations; and

Whereas, It is the desire of every American to do his part in the national defense program; and

Whereas, Texas has unusual advantages to offer the Nation in natural facilities for defense industries, army cantonments and naval bases; and

Whereas, The need of additional shipyards and equipment for shipbuilding is apparent, and warships and a merchant marine are necessary to the physical and economic defense of the Nation; and

Whereas, By reason of the unusual opportunities and advantages

offered by our State coastline, as well as national coastlines, for the establishment of shipyards; now, therefore, be it

Resolved, by the House of Representatives, That we urge upon the President of the United States and the Congress of the United States and the United States Maritime Commission the necessity of establishing shipyards in proper places to insure adequate yards for the construction of naval vessels and a merchant marine; and be it further

Resolved, That the Chief Clerk of the House of Representatives be instructed to send a copy of this resolution, under the Seal of the House, to the President of the United States, to the Texas Congressional Delegation in Washington, D. C., and to the Chairman of the United States Maritime Commission.

MANFORD,  
HARDEMAN,  
KINARD,  
CROSTHWAIT.

The resolution was read second time and was adopted.

#### MESSAGE FROM THE SENATE

Austin, Texas, June 2, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the following:

S. C. R. No. 72, Authorizing the Engrossing Clerk of the House to correct House Bill No. 983.

The Senate has requested the House to return to the Senate for further consideration

H. B. No. 894, A bill to be entitled "An Act defining the jurisdiction of the County Court of Navarro County and diminishing its civil jurisdiction, etc.; and declaring an emergency."

Respectfully,  
BOB BARKER,  
Secretary of the Senate.

# PROVIDING FOR APPOINTMENT ON CERTAIN COMMITTEE

Mr. Evans offered the following resolution:

H. C. R. No. 184, Providing for appointment of certain committee to investigate pension cuts.

Whereas, House Bill No. 941 appropriating certain funds to prevent reductions in the Old Age Pension Allotment passed this House on April 21, 1941 and

Whereas, On May 21st, this body passed House Concurrent Resolution 163, urging the Senate of Texas to take up and consider immediately House Bill 941, in order that the Three (\$3.00) Dollar cut in pensions may be prevented, and

Whereas, The Senate has taken no action on this important matter, and

Whereas, Reliable information substantiates a report that another Two (\$2.00) Dollar cut will be made in the June issue of pension checks, and

Whereas, This makes a total of Nine (\$9.00) Dollars from each pension check issued in June, and

Whereas, This loss does not only destroy and wreck the meager standard of living that has been measured out through restricted classification by our social workers, but also deprives the State of Texas of over One Half Million Dollars of money monthly, and

Whereas, This deplorable condition merits immediate action by both the House and the Senate, and

Whereas, There is now idle in two funds the sum of Eight Hundred Thousand (\$800,000.00) Dollars, that no Agency of the Government holds claim to, that could be appropriated for the above purposes.

Therefore be it Resolved, That the Forty-seventh Legislature, now assembled, that the Speaker of the House and the President of the Senate, appoint a Committee of three House Members and two Senate Members to work in conjunction with our Governor and other Agencies of our Governmental body, in an effort to come to an agreement whereby monies may be secured to not only

prevent the June cut, but to restore our pensions to their former status.

The resolution was read second time.

Mr. Morris moved to refer the resolution to the Committee on State Affairs.

Mr. Lucas moved to table the motion to refer.

The motion to table prevailed.

Mr. Hanna raised a point of order on further consideration of the resolution at this time, on the ground that the time allotted for the consideration of resolutions has expired.

The Speaker sustained the point of order.

Mr. Lucas moved that the time relative to the consideration of resolutions be extended until the above resolution is disposed of.

The motion to suspend the Rule prevailed.

Question recurring on the resolution by Mr. Evans yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—89

|                  |             |
|------------------|-------------|
| Allison          | Donald      |
| Alsup            | Duckett     |
| Avant            | Dwyer       |
| Bailey           | Ellis       |
| Baker            | Evans       |
| Bean             | Favors      |
| Benton           | Ferguson    |
| Boone            | Files       |
| Brown            | Fitzgerald  |
| Bruhl            | Fuchs       |
| Bullock          | Gandy       |
| Bundy            | Garland     |
| Burkett          | Gilmer      |
| Burnaman         | Goodman     |
| Carlton          | Halsey      |
| Carrington       | Hargis      |
| Chambers         | Heflin      |
| Cleveland        | Helpinstill |
| Colson, Mrs.     | Henderson   |
| Craig            | Hileman     |
| Crossley         | Hobbs       |
| Daniel           | Howington   |
| Deen             | Hoyo        |
| Dickson of Bexar | Jones       |
| Dickson of Nolan | Kennedy     |

|             |               |
|-------------|---------------|
| Kinard      | Price         |
| Klingeman   | Rampy         |
| Knight      | Reed of Bowie |
| Lehman      | Ridgeway      |
| Leyendecker | Roark         |
| Lock        | Senterfitt    |
| Lucas       | Sharpe        |
| McCann      | Simpson       |
| McMurry     | Skiles        |
| Manning     | Spacek        |
| Markle      | Stubbs        |
| Martin      | Thornton      |
| Matthews    | Turner        |
| Montgomery  | Vale          |
| Moore       | Walters       |
| Morgan      | Wattner       |
| Murray      | White         |
| Pace        | Whitesides    |
| Parker      | Winfree       |
| Pevehouse   |               |

## Nays—23

|                  |                   |
|------------------|-------------------|
| Bell             | McAllister        |
| Blankenship      | McGlasson         |
| Bray             | McNamara          |
| Crosthwait       | Morris            |
| Davis            | Reed of Dallas    |
| Hanna            | Roberts           |
| Harris of Dallas | Smith of Atascosa |
| Hughes           | Stanford          |
| Isaacks          | Stinson           |
| Lansberry        | Taylor            |
| Little           | Weatherford       |
| Love             |                   |

## Present—Not Voting

Coker

## Absent

|            |                  |
|------------|------------------|
| Brawner    | Kelly            |
| Bridgers   | King             |
| Cato       | Lyle             |
| Clark      | McDonald         |
| Dove       | Manford          |
| Eubank     | Sallas           |
| Hardeman   | Shell            |
| Hartzog    | Smith of Bastrop |
| Howard     | Spangler         |
| Huddleston | Voigt            |
| Hutchinson |                  |

## Absent—Excused

|                |           |
|----------------|-----------|
| Allen          | Lowry     |
| Celaya         | McLellan  |
| Connolly       | Mills     |
| Harris of Hill | Morse     |
| Huffman        | Nicholson |
| Humphrey       | Phillips  |
| Kersey         | Rhodes    |

## PROVIDING FOR THE APPOINTMENT OF A "CAPITAL PLANNING COMMISSION"

The Speaker laid before the House, for consideration at this time,

S. C. R. No. 66, Providing for the appointment of a "Capital Planning Commission."

The resolution having heretofore been read second time.

Mr. Stinson offered the following amendment to the resolution:

Amend S. C. R. No. 66 by striking out the word "therefore" after the last "whereas" clause on page 2, and at the end of line 6, and immediately preceding the resolving clause, and also strike out all of the resolving clauses and insert the following; and

"Whereas, The beauty and culture of its Capital City has been the greatest pride and glory of every Nation from the days of ancient Greece to the present time; and

"Whereas, The City of Austin is now known and recognized throughout the United States as one of the most beautiful capital cities in the Nation; and a continuation of this desirable condition is of interest to all the people of the State; and

"Whereas, The natural beauties and the cultural environment of the City of Austin are unsurpassed by any city in America; and

"Whereas, The present generation could bequeath to posterity no more valuable gift than a carefully devised plan for the future beautification and development of this Capital City; now, therefore, be it

"Resolved by the Senate, the House of Representatives concurring, That in order to accomplish the above mentioned desired purposes that the Lieutenant Governor shall appoint from the membership of the Senate two disinterested, competent members of the Senate, and the Speaker of the House shall appoint three disinterested, competent members of the House, said members collectively to be known as the Capital Planning Commission; and that said Commission be and it is hereby instructed and authorized to make a complete survey of the needs for the further development and beautification of the Capital City of Austin,



with special reference to the location of public buildings that may be erected in the future, including parks, drives, and boulevards to properly harmonize with the general plan of development, and so as to conform to and continue as nearly as possible to the present development of the Capitol buildings and grounds, and the University buildings and campus; and in order that future generations may have suitable basic plans for the building and development of a Capitol City worthy of the great State of Texas; and with the hope that our Capital City will be the pride and joy of its citizenship in the generation to come; and be it further

"Resolved, That said Commission be instructed and directed to ask for the cooperation and assistance of the City Authorities of the City of Austin; and that the Engineering Department of the University of Texas be requested to assist in the necessary surveys; that said Commission cooperate with said City of Austin and the Engineering Department of the University of Texas to the end that these plans may be drafted with the least possible expense; that said Commission be further instructed to make a report to a Special Session of the Forty-seventh Legislature, if there be one, or if there is none, to the Regular Session of the Forty-eighth Legislature, with suitable recommendations; and be it further

"Resolved, That said Commission consult competent authorities and technical advisors from any State Department, from the City of Austin, and from the University of Texas, before making up this report in order that the same may be based upon competent and technical information.

The amendment was adopted.

The resolution, as amended, was then adopted.

#### GRANTING CERTAIN DISTRICT JUDGES PERMISSION TO BE ABSENT FROM THE STATE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 67, Granting certain District Judges permission to be absent from the State.

Whereas, Honorable J. D. Stephenson, Judge of the 66th Judicial District of Texas, Honorable O. B. McPherson, Judge of the 18th Judicial District Court of Texas, and Honorable A. R. Stout, Judge of the 40th Judicial District Court of Texas, desire to leave the State some time during the years 1941 and 1942 on personal business and to take a vacation; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, That Honorable J. D. Stephenson, Judge of the 66th Judicial District Court of Texas, Honorable O. B. McPherson, Judge of the 18th Judicial District Court of Texas, and Honorable A. R. Stout, Judge of the 40th Judicial District Court of Texas, be and they are hereby granted permission to be absent from the State of Texas at such intervals and for such time as they may see fit and proper during the years 1941 and 1942, taking into consideration the condition of the docket of said Courts.

The resolution was read second time and was adopted.

#### ENDORISING FOREIGN POLICIES OF PRESIDENT ROOSEVELT

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 68, Endorsing Foreign Policies of President Roosevelt.

Whereas, The history of Texas bears witness that the people of this State oppose to the last drop of blood, and the last breath in their bodies, tyranny and aggression; and that they love liberty even more than life itself; and Texas and Texans have never hesitated to enter the fray when this two-headed monster, tyranny and aggression, has threatened their homes and their ideals.

The bloody fields of San Jacinto, Goliad, and the Alamo give mute testimony to these facts; Shilo and the Wilderness in the Civil War, and the impetuous charge at San Juan Hill were altars upon which they made their sacrifices; and Chateau Thierry and the Meuse-Argonne confirm the willingness of Texans to make the ultimate sacrifice to preserve freedom, liberty, justice and peace in all the world; and

Whereas, Two divergent philosophies of government are now embraced in a deadly struggle that has drawn into its flaming vortex most of the countries of Europe; and the totalitarian states have sworn to extirpate democracies and democratic people from the face of the earth, and are now at war with our ideals and our way of life that we cherish as a heritage; and Great Britain is the last remaining barricade sheltering our Nation from the forces of tyranny and aggression; now, therefore, be it

Resolved, by the Senate of Texas, the House of Representatives concurring, That the Legislature of the State of Texas, speaking for the people of Texas, inform the Congress of the United States and the President of the United States:

That the people of Texas, in these days of peril to ourselves and all democracies throughout the world, are unified behind the foreign policies of President Roosevelt, and desire that a firm policy toward the aggressor nation be maintained without thought of appeasement, and that Great Britain be given all possible aid until victory is won, so that the epitaph of Christian civilization may not be "too little and too late," and that steps be taken to impress upon both capital and labor the full realization of their responsibilities for National Defense, so that strikes and lockouts may not occur and imperil the safety of this Nation and our civilization over a few pieces of silver; and

That Texans are and will remain true to their historic heritage, and are willing to make whatever sacrifice is necessary that our Nation and our posterity may live in peace, freedom and liberty; and, be it further

Resolved, That a copy of this resolution be forwarded to the President of the United States, the Secretary of State of the United States, the Vice President of the United States and the Speaker of the House of Representatives of the Congress of the United States, and to each member of the Texas delegation in the Congress of the United States, so that the President and the Congress and all the world may know that Texans still honor the principles of their fathers.

The resolution was read second time and was adopted.

RELATIVE TO CONFERENCE  
COMMITTEE ON SENATE  
BILL NO. 402

Mr. Taylor moved to suspend the necessary Rules in order that a motion may be made to reconsider the vote by which the House refused on last Thursday to adopt the Conference Committee report on Senate Bill No. 402 and requested the appointment of a new Conference Committee to adjust the differences between the two Houses.

The motion to suspend the Rules prevailed.

Question then recurring on the motion to reconsider, it prevailed.

Question: Shall the motion by Mr. McGlasson that the Conference report be not adopted and that a new Conference Committee be requested to adjust the differences between the two Houses prevail?

Mr. McGlasson withdrew the motion that the House do not adopt the report and request the appointment of a new Conference Committee to adjust the differences.

(Mr. Hanna in the Chair.)

Mr. McGlasson submitted the following motion:

The motion is as follows:

Delete from page 3487, paragraph, entitled "Joint Legislative Committee."

Add the following to paragraph entitled United States Aid, which is attached hereto:

"Divide the \$35,000 and \$4,000 appropriated to Waco State Home and Gatesville Training School, making \$18,000 to each."

Add an item to San Antonio State Hospital for improvement and repairs.

The committee is instructed to do the above, insofar as possible.

Mr. Bean raised a point of order on further consideration of the motion by Mr. McGlasson at this time, on the ground that it is out of order to instruct the Conference Com-

mittee at this time as same has already been appointed.

The Chair overruled the point of order.

Mr. Reed of Dallas moved to table the motion by Mr. McGlasson.

The motion to table prevailed.

Mr. Harris of Dallas submitted the following motion:

Motion to instruct Conference Committee on Senate Bill No. 402 to strike out on page 3487 beginning with the words "Joint Legislative" and closing with words "mentally ill" on page 3487.

HARRIS of Dallas,  
HARDEMAN.

Mr. Morris moved to table the motion by Mr. Harris of Dallas.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

#### Yeas—46

|                  |                  |
|------------------|------------------|
| Allison          | Jones            |
| Alsup            | Kelly            |
| Avant            | Kennedy          |
| Bean             | King             |
| Bell             | Klingeman        |
| Boone            | Knight           |
| Brawner          | Lock             |
| Bray             | Love             |
| Brown            | McAlister        |
| Burnaman         | McCann           |
| Carlton          | Markle           |
| Carrington       | Morgan           |
| Clark            | Morris           |
| Daniel           | Reed of Bowie    |
| Dickson of Nolan | Reed of Dallas   |
| Eubank           | Roberts          |
| Evans            | Sallas           |
| Ferguson         | Smith of Bastrop |
| Fuchs            | Stanford         |
| Gilmer           | Stinson          |
| Halsey           | Vale             |
| Hanna            | Walters          |
| Hutchinson       | Wattner          |

#### Nays—75

|             |          |
|-------------|----------|
| Bailey      | Bruhl    |
| Baker       | Bullock  |
| Benton      | Bundy    |
| Blankenship | Burkett  |
| Bridgers    | Chambers |

|                  |                   |
|------------------|-------------------|
| Cleveland        | Little            |
| Coker            | Lucas             |
| Craig            | Lyle              |
| Crossley         | McGlasson         |
| Crosthwait       | McNamara          |
| Davis            | Manning           |
| Deen             | Martin            |
| Dickson of Bexar | Matthews          |
| Donald           | Montgomery        |
| Duckett          | Moore             |
| Dwyer            | Murray            |
| Ellis            | Pace              |
| Favors           | Parker            |
| Files            | Pevehouse         |
| Fitzgerald       | Price             |
| Gandy            | Rampy             |
| Garland          | Ridgeway          |
| Goodman          | Rhodes            |
| Hardeman         | Roark             |
| Hargis           | Senterfitt        |
| Harris of Dallas | Simpson           |
| Heflin           | Smith of Atascosa |
| Helpinstill      | Spacek            |
| Hileman          | Stubbs            |
| Hobbs            | Taylor            |
| Howington        | Thornton          |
| Hoyo             | Turner            |
| Huddleston       | Voigt             |
| Hughes           | Weatherford       |
| Isaacks          | White             |
| Kinard           | Whitesides        |
| Lansberry        | Winfree           |
| Lehman           |                   |

#### Absent

|              |          |
|--------------|----------|
| Cato         | McDonald |
| Colson, Mrs. | McMurry  |
| Dove         | Manford  |
| Hartzog      | Sharpe   |
| Henderson    | Shell    |
| Howard       | Skiles   |
| Leyendecker  | Spangler |

#### Absent—Excused

|                |           |
|----------------|-----------|
| Allen          | Lowry     |
| Celaya         | McLellan  |
| Connelly       | Mills     |
| Harris of Hill | Morse     |
| Huffman        | Nicholson |
| Humphrey       | Phillips  |
| Kersey         |           |

Question recurring on the substitute motion by Mr. Harris of Dallas, it prevailed.

Mr. Harris of Dallas moved to reconsider the vote by which the motion prevailed and to table the motion to reconsider.

The motion to table prevailed.

## MESSAGE FROM THE SENATE

Austin, Texas, June 2, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the following:

H. C. R. No. 191, Declaring the intent of the Legislature with respect to Sections 4 and 10 of House Bill No. 933.

H. C. R. No. 155, Granting John W. Hoch permission to bring suit against the State of Texas. (With amendments.)

Passed

H. B. No. 971, A bill to be entitled "An Act authorizing cities and towns eligible under the terms of this Act to fund certain indebtedness outstanding on the effective date of this Act; prescribing the method and procedure for issuance of funding or refunding bonds, and which cities or towns cannot derive revenues for general fund operating expenses from any publicly owned utilities at this time; and declaring an emergency." (With amendments.)

The Senate has concurred in House amendments to Senate Bill No. 163 by the following vote: Yeas, 19; nays, 9.

Respectfully,

BOB BARKER,

Secretary of the Senate.

## AN ODE TO SPEAKER LEONARD

On motion of Mr. Bean, the following poem, composed and read to the House by Hon. Rae Files, was ordered printed in the Journal:

To Speaker Homer Leonard  
An ode I'd like to sing,  
To a man who has the nerve  
To do most anything.

Homer—

You know you are a slave driver  
Who works us through the night  
Whether tired, hot, or hungry,  
You just ignore our plight.

When a bill you do not favor  
Seems likely to go through,  
Then a previous question motion  
Is just wasted on the blue.

But if a bill affects the Valley—  
Such as one about the trucks—  
The steam-roller comes in action  
And woe unto him that bucks.

You chub the poor old Members  
From the high and mighty Chair,  
And all they can do about it  
Is just to sit and swear.

And now you have the nerve  
To say to each of us,  
"I want to be promoted—  
Get out and raise a fuss!"

And you confidently expect  
That I'll go home for you  
And sing a little love song—  
And, darn it, I know that's what  
I'll do!

BILLS AND RESOLUTIONS SIGNED  
BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolutions:

S. B. No. 477, "An Act authorizing the County Judge to employ a stenographer or clerk in certain counties, etc.; and declaring an emergency."

H. B. No. 686, "An Act amending Section 1 of Chapter 168, S. B. No. 203, of the General Laws of the Regular Session of the 42nd Legislature so as to authorize the State Parks Board to operate or grant concessions in State Parks and to operate concessions or make concession contracts for any causeway, beach drive or other improvements in connection with State Park sites; and providing that the revenue thus earned shall when collected be placed in the State Treasury; and authorizing the said Board to make such rules and regulations for the carrying out of this Act and the Laws of this State relative to State Parks, as it may deem necessary not in conflict with law; and declaring an emergency."

H. B. No. 894, "An Act defining the jurisdiction of the County Court of Navarro County and diminishing its civil jurisdiction; providing that the District Court of Navarro County shall have jurisdiction in all civil matters over which by law the County Court would have original juris-

diction; providing for the transfer of certain civil causes from the County Court to the District Court of Navarro County; providing the Act shall not affect judgments heretofore rendered by said County Court in causes now transferred to the District Court of said County; providing for the repeal of all laws in conflict therewith."

H. J. R. No. 24, Proposing an amendment to Section 22 of Article V of the Constitution of Texas by adding thereto authority for the Legislature to increase, diminish or change the probate or other jurisdiction of the County Court and to create additional counts having either exclusive jurisdiction, or concurrent jurisdiction with the County Court in such matters.

S. C. R. No. 70, Expressing legislative intent in regard to House Bill No. 205.

#### RECESS

Mr. Morgan moved that the House adjourn until 10:00 o'clock a. m. tomorrow.

Mr. Blankenship moved that the House recess until 3:00 o'clock p. m. today.

Question recurring on the motion to adjourn, it was lost.

Question next recurring on the motion to recess until 3:00 o'clock p. m. today, yeas and nays were demanded.

The motion prevailed by the following vote:

#### Yeas—77

|              |                  |
|--------------|------------------|
| Allison      | Deen             |
| Avant        | Dickson of Bexar |
| Baker        | Duckett          |
| Bell         | Dwyer            |
| Benton       | Ellis            |
| Blankenship  | Evans            |
| Boone        | Favors           |
| Bridgers     | Ferguson         |
| Brown        | Files            |
| Bruhl        | Fuchs            |
| Bundy        | Gandy            |
| Burkett      | Garland          |
| Carrington   | Goodman          |
| Colson, Mrs. | Hanna            |
| Crossley     | Hardeman         |
| Daniel       | Hargis           |

|             |                  |
|-------------|------------------|
| Hartzog     | Price            |
| Heflin      | Rampy            |
| Helpinstill | Reed of Bowie    |
| Henderson   | Reed of Dallas   |
| Hileman     | Rhodes           |
| Hobbs       | Roark            |
| Huddleston  | Shell            |
| Isaacks     | Simpson          |
| Jones       | Smith of Bastrop |
| Kelly       | Spacek           |
| King        | Spangler         |
| Klingeman   | Stanford         |
| Lansberry   | Stinson          |
| Lock        | Stubbs           |
| Lucas       | Taylor           |
| Lyle        | Thornton         |
| McCann      | Vale             |
| McMurry     | Wattner          |
| Manford     | Weatherford      |
| Manning     | White            |
| Montgomery  | Whitesides       |
| Parker      | Winfree          |
| Pevehouse   |                  |

#### Nays—46

|                  |                   |
|------------------|-------------------|
| Alsup            | Kinard            |
| Bailey           | Knight            |
| Bean             | Lehman            |
| Bray             | Little            |
| Burnaman         | Love              |
| Carlton          | McAlister         |
| Cato             | McGlasson         |
| Chambers         | McNamara          |
| Clark            | Markle            |
| Cleveland        | Martin            |
| Coker            | Matthews          |
| Craig            | Morgan            |
| Crosthwait       | Morris            |
| Davis            | Pace              |
| Dickson of Nolan | Ridgeway          |
| Donald           | Roberts           |
| Eubank           | Sallas            |
| Fitzgerald       | Senterfitt        |
| Halsey           | Skiles            |
| Hoyo             | Smith of Atascosa |
| Hughes           | Turner            |
| Hutchinson       | Voigt             |
| Kennedy          | Walters           |

#### Absent

|                  |             |
|------------------|-------------|
| Brawner          | Howington   |
| Bullock          | Leyendecker |
| Dove             | McDonald    |
| Gilmer           | Moore       |
| Harris of Dallas | Murray      |
| Howard           | Sharpe      |

#### Absent—Excused

|                |          |
|----------------|----------|
| Allen          | Huffman  |
| Celaya         | Humphrey |
| Connelly       | Kersey   |
| Harris of Hill | Lowry    |

McLellan  
Mills  
Morse

Nicholson  
Phillips

The House, accordingly, at 12:35 o'clock p. m., took recess until 3:00 o'clock p. m. today.

#### AFTERNOON SESSION

The House met at 3:00 o'clock p. m. and was called to order by the Speaker.

#### LEAVES OF ABSENCE GRANTED

Mr. Smith of Bastrop was granted leave of absence for this afternoon on account of important business on motion of Mr. Moore.

Mr. Martin, for this afternoon, on account of illness, on motion of Mr. McGlasson.

#### HOUSE BILL NO. 79 ON SECOND READING

The Speaker laid before the House, as special order, on its second reading and passage to engrossment,

H. B. No. 79, A bill to be entitled "An Act amending Article 4604c, Revised Civil Statutes of Texas, as enacted by Acts of the Forty-first Legislature, 1929, Regular Session, page 260, Chapter 114, providing that each of the parties entering into a contract of marriage in Texas be thoroughly examined by a physician legally licensed to practice medicine in Texas, who at the time of said examination caused to be made of specimens taken from such persons standard serological tests and such other laboratory procedures as are essential to the determination of freedom from syphilis and all other venereal diseases; providing that such physicians shall issue such certificates under specified conditions; etc.; and declaring an emergency."

The bill was read second time.

Question: Shall House Bill No. 79 pass to engrossment?

#### AUTHORIZING CERTAIN CORRECTIONS IN HOUSE BILL NO. 983

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 72, Authorizing certain Correction in House Bill No. 983.

Whereas, House Bill No. 983 has passed the Senate with amendments, and such amendments have been concurred in by the House of Representatives, and such bill is now being engrossed prior to being delivered to the Governor for his action; and

Whereas, An amendment was offered to the printed bill when the same was pending in the Senate, adding the words at the end of paragraph (c) of Section 2, as follows: "But in no event shall any such corporation be authorized to spend more than Ten Thousand (\$10,000.00) Dollars in any one election contest"; which said amendment was adopted; and

Whereas, A question has been raised as to whether or not the word "contest" should be used; and

Whereas, In order to make the provisions the same for both the criminal and civil sections of the bill, like language should be used, and paragraph (c) of Section 4 should be amended by inserting the same language at the end of such Section; now, therefore, be it

Resolved, by the Senate of Texas, the House of Representatives concurring, That the Engrossing Clerk of the House of Representatives be and is hereby instructed to insert the following language at the end of paragraph (c), Section 2, and likewise at the end of paragraph (c) of Section 4 of the printed bill: "but in no event shall any such corporation be authorized to spend more than Ten Thousand (\$10,000.00) Dollars in any one election."

The resolution was read second time.

Mr. Blankenship offered the following amendment to the resolution:

Amend Senate Concurrent Resolution No. 72, line 3, paragraph 2, and in line 5 in the last paragraph, by striking out the number "2" after the word "Section" and inserting in lieu thereof the number "3."

The amendment was adopted.

The resolution, as amended, was then adopted.

## MESSAGE FROM THE GOVERNOR

The Speaker laid before the House and had read the following message from the Governor:

June 2nd, 1941.

To the Members of the House of Representatives of the Forty-seventh Legislature:

I am returning House Bill No. 828 without my approval.

This bill provides for the creation of a very important department of State Government to be known as the San Jacinto Conservation and Reclamation District, but the members of the Board of Directors for this important project are to be appointed by members of another board who have been appointed by the Governor, and the appointment by members of this Board of Directors is not subject to any further confirmation.

I strongly believe that where important State Departments are set up by law that the appointment of members on such boards should be by some elected official of the people, and should be subject to confirmation by two-thirds of the Senators. I am convinced that this pyramiding of boards upon boards is getting the control of our Government too far removed from our people and is, therefore, bad legislation.

Respectfully submitted,  
W. LEE O'DANIEL,  
Governor of Texas.

## SENATE BILL NO. 469 ON SECOND READING

(By unanimous consent.)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 469, A bill to be entitled "An Act amending Senate Bill No. 409, being Chapter 53, page 64, of the Special Laws of the Regular Session of the 43rd Legislature, 1933, relating to the 'County Court of Galveston County at Law,' etc.; and declaring an emergency."

The bill was read second time.

Mr. Markle offered the following amendment to the bill:

Amend Senate Bill No. 469, by

striking out all of quoted subsection 3 of section 1, and by inserting in lieu thereof the following:

"Section 3. All sums received in payment of fines and fees in all such misdemeanor cases, the jurisdiction of which is hereby transferred to the county court of Galveston County, shall be paid to and deposited in the Road and Bridge Fund of said County. The County Judge and the County Clerk of said Galveston County shall each be allowed by said County, to be paid from said Road and Bridge Fund, the sum of Six Hundred (\$600.00) Dollars per year, payable in equal monthly installments, as additional compensation for handling said misdemeanor cases and shall be in addition to all salaries now being paid to such officers from the Officers' Salary Fund of said County. The County Clerk of Galveston County shall have authority to appoint an additional deputy clerk to handle such misdemeanor cases to be paid a salary not to exceed One Hundred Twenty Five (\$125.00) Dollars per month by said county from the Road and Bridge Fund of said County."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 469 was then passed to third reading.

## SENATE BILL NO. 469 ON THIRD READING

Mr. Markle moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 469 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—109

|             |            |
|-------------|------------|
| Allison     | Bray       |
| Alsup       | Bridgers   |
| Avant       | Brown      |
| Bailey      | Bruhl      |
| Baker       | Bundy      |
| Benton      | Burkett    |
| Blankenship | Carlton    |
| Boone       | Carrington |

|                  |                   |
|------------------|-------------------|
| Cato             | Lock              |
| Chambers         | Love              |
| Clark            | Lucas             |
| Coker            | Lyle              |
| Colson, Mrs.     | McAlister         |
| Craig            | McCann            |
| Daniel           | McGlasson         |
| Davis            | McLellan          |
| Deen             | McMurry           |
| Dickson of Bexar | McNamara          |
| Dickson of Nolan | Manford           |
| Donald           | Markle            |
| Dove             | Matthews          |
| Duckett          | Moore             |
| Dwyer            | Morgan            |
| Ellis            | Morris            |
| Favors           | Murray            |
| Ferguson         | Pace              |
| Files            | Parker            |
| Fitzgerald       | Pevehouse         |
| Fuchs            | Price             |
| Gandy            | Rampy             |
| Garland          | Reed of Bowie     |
| Gilmer           | Reed of Dallas    |
| Goodman          | Ridgeway          |
| Halsey           | Rhodes            |
| Hardeman         | Roberts           |
| Hargis           | Sallas            |
| Harris of Dallas | Senterfitt        |
| Hartzog          | Shell             |
| Helpinstill      | Simpson           |
| Hileman          | Smith of Atascosa |
| Hobbs            | Spangler          |
| Howington        | Stanford          |
| Hughes           | Stinson           |
| Hutchinson       | Stubbs            |
| Isaacks          | Taylor            |
| Jones            | Thornton          |
| Kelly            | Vale              |
| Kennedy          | Voigt             |
| Kinard           | Walters           |
| Klingeman        | Wattner           |
| Knight           | Weatherford       |
| Lansberry        | White             |
| Lehman           | Whitesides        |
| Leyendecker      | Winfree           |
| Little           |                   |

## Absent

|            |                  |
|------------|------------------|
| Bean       | Howard           |
| Bell       | Hoyo             |
| Brawner    | Huddleston       |
| Bullock    | King             |
| Burnaman   | McDonald         |
| Cleveland  | Manning          |
| Crossley   | Martin           |
| Crosthwait | Montgomery       |
| Eubank     | Roark            |
| Evans      | Sharpe           |
| Hanna      | Skiles           |
| Heflin     | Smith of Bastrop |
| Henderson  | Spacek           |

## Absent—Excused

|                |           |
|----------------|-----------|
| Turner         | Kersey    |
| Allen          | Lowry     |
| Celaya         | Mills     |
| Connelly       | Morse     |
| Harris of Hill | Nicholson |
| Huffman        | Phillips  |
| Humphrey       |           |

The Speaker then laid Senate Bill No. 469 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—109

|                  |                |
|------------------|----------------|
| Allison          | Helpinstill    |
| Alsup            | Hileman        |
| Avant            | Hobbs          |
| Bailey           | Howington      |
| Baker            | Hughes         |
| Benton           | Hutchinson     |
| Blankenship      | Isaacks        |
| Boone            | Jones          |
| Bray             | Kelly          |
| Bridgers         | Kennedy        |
| Brown            | Kinard         |
| Bruhl            | Klingeman      |
| Bundy            | Knight         |
| Burkett          | Lansberry      |
| Carlton          | Lehman         |
| Carrington       | Leyendecker    |
| Cato             | Little         |
| Chambers         | Lock           |
| Clark            | Love           |
| Coker            | Lucas          |
| Colson, Mrs.     | Lyle           |
| Craig            | McAlister      |
| Daniel           | McCann         |
| Davis            | McGlasson      |
| Deen             | McLellan       |
| Dickson of Bexar | McMurry        |
| Dickson of Nolan | McNamara       |
| Donald           | Manford        |
| Dove             | Markle         |
| Duckett          | Matthews       |
| Dwyer            | Moore          |
| Ellis            | Morgan         |
| Favors           | Morris         |
| Ferguson         | Murray         |
| Files            | Pace           |
| Fitzgerald       | Parker         |
| Fuchs            | Pevehouse      |
| Gandy            | Price          |
| Garland          | Rampy          |
| Gilmer           | Reed of Bowie  |
| Goodman          | Reed of Dallas |
| Halsey           | Ridgeway       |
| Hardeman         | Rhodes         |
| Hargis           | Roberts        |
| Harris of Dallas | Sallas         |
| Hartzog          | Senterfitt     |



|                   |             |
|-------------------|-------------|
| Shell             | Vale        |
| Simpson           | Voigt       |
| Smith of Atascosa | Walters     |
| Spangler          | Wattner     |
| Stanford          | Weatherford |
| Stinson           | White       |
| Stubbs            | Whitesides  |
| Taylor            | Winfree     |
| Thornton          |             |

**Absent**

|            |                  |
|------------|------------------|
| Bean       | Hoyo             |
| Bell       | Huddleston       |
| Brawner    | King             |
| Bullock    | McDonald         |
| Burnaman   | Manning          |
| Cleveland  | Martin           |
| Crossley   | Montgomery       |
| Crosthwait | Roark            |
| Eubank     | Sharpe           |
| Evans      | Skiles           |
| Hanna      | Smith of Bastrop |
| Heflin     | Spacek           |
| Henderson  | Turner           |
| Howard     |                  |

**Absent—Excused**

|                |           |
|----------------|-----------|
| Allen          | Kersey    |
| Celaya         | Lowry     |
| Connelly       | Mills     |
| Harris of Hill | Morse     |
| Huffman        | Nicholson |
| Humphrey       | Phillips  |

**HOUSE BILL NO. 1069 ON  
SECOND READING**

(By unanimous consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1069, A bill to be entitled "An Act prescribing the time of meeting of the county board of school trustees in counties containing a population of not less than forty-eight thousand and eight hundred (48,800) and not more than fifty thousand and four hundred (50,400) inhabitants, according to the last preceding Federal Census, the meeting place of said board, the compensation to be paid each county school trustee, and the fund out of which said compensation shall be paid; providing that this Act shall be cumulative of all existing laws on this subject when not in conflict and when in conflict the provisions of this Act shall control; repealing all laws in conflict; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**HOUSE BILL NO. 1069 ON  
THIRD READING**

Mr. McCann moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 1069 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—116

|                  |                  |
|------------------|------------------|
| Allison          | Hargis           |
| Alsup            | Harris of Dallas |
| Avant            | Heflin           |
| Bailey           | Helpinstill      |
| Benton           | Henderson        |
| Blankenship      | Hileman          |
| Boone            | Hobbs            |
| Bridgers         | Howard           |
| Brown            | Howington        |
| Bruhl            | Hoyo             |
| Bullock          | Huddleston       |
| Bundy            | Hughes           |
| Burkett          | Hutchinson       |
| Burnaman         | Isaacks          |
| Carlton          | Jones            |
| Carrington       | Kelly            |
| Cato             | Kennedy          |
| Chambers         | Kinard           |
| Clark            | King             |
| Cleveland        | Klingeman        |
| Coker            | Knight           |
| Colson, Mrs.     | Lansberry        |
| Craig            | Lehman           |
| Crossley         | Leyendecker      |
| Daniel           | Little           |
| Davis            | Lock             |
| Deen             | Love             |
| Dickson of Bexar | Lucas            |
| Dickson of Nolan | Lyle             |
| Donald           | McAlister        |
| Dove             | McCann           |
| Duckett          | McDonald         |
| Dwyer            | McGlasson        |
| Ellis            | McLellan         |
| Eubank           | McMurry          |
| Evans            | McNamara         |
| Favors           | Manford          |
| Ferguson         | Markle           |
| Fitzgerald       | Matthews         |
| Fuchs            | Moore            |
| Gandy            | Morris           |
| Garland          | Murray           |
| Gilmer           | Pace             |
| Goodman          | Parker           |
| Halsey           | Pevehouse        |
| Hanna            | Price            |
| Hardeman         | Rampy            |

|                |             |
|----------------|-------------|
| Reed of Bowie  | Stinson     |
| Reed of Dallas | Stubbs      |
| Ridgeway       | Taylor      |
| Rhodes         | Thornton    |
| Roberts        | Vale        |
| Sallas         | Walters     |
| Senterfitt     | Wattner     |
| Shell          | Weatherford |
| Simpson        | White       |
| Spangler       | Whitesides  |
| Stanford       | Winfree     |

Present—Not Voting

Bray

Absent

|            |                   |
|------------|-------------------|
| Baker      | Morgan            |
| Bean       | Roark             |
| Bell       | Sharpe            |
| Brawner    | Skiles            |
| Crosthwait | Smith of Atascosa |
| Files      | Spacek            |
| Hartzog    | Turner            |
| Manning    | Voigt             |
| Montgomery |                   |

Absent—Excused

|                |                  |
|----------------|------------------|
| Allen          | Lowry            |
| Celaya         | Martin           |
| Connelly       | Mills            |
| Harris of Hill | Morse            |
| Huffman        | Nicholson        |
| Humphrey       | Phillips         |
| Kersey         | Smith of Bastrop |

The Speaker then laid House Bill No. 1069 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—116

|             |                  |
|-------------|------------------|
| Allison     | Coker            |
| Alsup       | Colson, Mrs.     |
| Avant       | Craig            |
| Bailey      | Crossley         |
| Benton      | Daniel           |
| Blankenship | Davis            |
| Boone       | Deen             |
| Bridgers    | Dickson of Bexar |
| Brown       | Dickson of Nolan |
| Bruhl       | Donald           |
| Bullock     | Dove             |
| Bundy       | Duckett          |
| Burkett     | Dwyer            |
| Burnaman    | Ellis            |
| Carlton     | Eubank           |
| Carrington  | Evans            |
| Cato        | Favors           |
| Chambers    | Ferguson         |
| Cleveland   | Fitzgerald       |

|                  |                |
|------------------|----------------|
| Fuchs            | McDonald       |
| Gandy            | McGlasson      |
| Garland          | McLellan       |
| Gilmer           | McMurry        |
| Goodman          | McNamara       |
| Halsey           | Manford        |
| Hanna            | Markle         |
| Hardeman         | Matthews       |
| Hargis           | Moore          |
| Harris of Dallas | Morris         |
| Heflin           | Murray         |
| Helpinstill      | Pace           |
| Henderson        | Parker         |
| Hileman          | Pevehouse      |
| Hobbs            | Price          |
| Howard           | Rampy          |
| Howington        | Reed of Bowie  |
| Hoyo             | Reed of Dallas |
| Huddleston       | Ridgeway       |
| Hughes           | Rhodes         |
| Hutchinson       | Roberts        |
| Isaacks          | Sallas         |
| Jones            | Senterfitt     |
| Kelly            | Shell          |
| Kennedy          | Simpson        |
| Kinard           | Spangler       |
| King             | Stanford       |
| Klingeman        | Stinson        |
| Knight           | Stubbs         |
| Lansberry        | Taylor         |
| Lehman           | Thornton       |
| Leyendecker      | Vale           |
| Little           | Walters        |
| Lock             | Wattner        |
| Love             | Weatherford    |
| Lucas            | White          |
| Lyle             | Whitesides     |
| McAlister        | Winfree        |
| McCann           |                |

Present—Not Voting

Bray

Absent

|            |                   |
|------------|-------------------|
| Baker      | Montgomery        |
| Bean       | Morgan            |
| Bell       | Roark             |
| Brawner    | Sharpe            |
| Clark      | Skiles            |
| Crosthwait | Smith of Atascosa |
| Files      | Spacek            |
| Hartzog    | Turner            |
| Manning    | Voigt             |

Absent—Excused

|                |                  |
|----------------|------------------|
| Allen          | Lowry            |
| Celaya         | Martin           |
| Connelly       | Mills            |
| Harris of Hill | Morse            |
| Huffman        | Nicholson        |
| Humphrey       | Phillips         |
| Kersey         | Smith of Bastrop |

HOUSE BILL NO. 1070 ON  
SECOND READING

(By unanimous consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1070, A bill to be entitled "An Act providing that it shall be lawful to kill quail in Van Zandt County only on Monday, Wednesday, and Saturday of each week after the first day of December, 1941, and continuing until and including the 16th day of January, 1942, and during the same time for each year thereafter on the same days of the week; providing the number of quail that can be killed on any one day; prescribing violations of this Act and providing the penalties therefor; repealing all laws in conflict herewith and expressly repealing House Bill No. 949, Regular Session of the 47th Legislature; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 1070 ON  
THIRD READING

Mr. Wattner moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 1070 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

|             |                  |
|-------------|------------------|
| Allison     | Cleveland        |
| Alsup       | Coker            |
| Avant       | Colson, Mrs.     |
| Bailey      | Craig            |
| Baker       | Crossley         |
| Bell        | Daniel           |
| Benton      | Davis            |
| Blankenship | Deen             |
| Boone       | Dickson of Bexar |
| Brawner     | Dickson of Nolan |
| Bridgers    | Donald           |
| Brown       | Dove             |
| Bruhl       | Duckett          |
| Bullock     | Dwyer            |
| Bundy       | Ellis            |
| Burkett     | Eubank           |
| Burnaman    | Evans            |
| Carlton     | Favors           |
| Carrington  | Ferguson         |
| Cato        | Fuchs            |
| Clark       | Gandy            |

|                  |                   |
|------------------|-------------------|
| Garland          | Manford           |
| Gilmer           | Manning           |
| Goodman          | Markle            |
| Halsey           | Matthews          |
| Hargis           | Moore             |
| Harris of Dallas | Morris            |
| Hartzog          | Murray            |
| Heflin           | Pace              |
| Helpinstill      | Parker            |
| Henderson        | Pevehouse         |
| Hileman          | Price             |
| Hobbs            | Rampy             |
| Howard           | Reed of Bowie     |
| Howington        | Reed of Dallas    |
| Hoyo             | Ridgeway          |
| Huddleston       | Rhodes            |
| Hughes           | Roark             |
| Hutchinson       | Roberts           |
| Isaacks          | Sallas            |
| Jones            | Senterfitt        |
| Kelly            | Simpson           |
| Kennedy          | Smith of Atascosa |
| Kinard           | Spacek            |
| King             | Spangler          |
| Klingeman        | Stanford          |
| Knight           | Stinson           |
| Lansberry        | Stubbs            |
| Lehman           | Taylor            |
| Leyendecker      | Thornton          |
| Little           | Turner            |
| Lock             | Vale              |
| Love             | Voigt             |
| Lucas            | Walters           |
| Lyle             | Wattner           |
| McCann           | Weatherford       |
| McDonald         | White             |
| McGlasson        | Whitesides        |
| McLellan         | Winfree           |
| McNamara         |                   |

Present—Not Voting

Bray

Absent

|            |            |
|------------|------------|
| Bean       | McAlister  |
| Chambers   | McMurry    |
| Crosthwait | Montgomery |
| Files      | Morgan     |
| Fitzgerald | Sharpe     |
| Hanna      | Shell      |
| Hardeman   | Skiles     |

Absent—Excused

|                |                  |
|----------------|------------------|
| Allen          | Lowry            |
| Celaya         | Martin           |
| Connelly       | Mills            |
| Harris of Hill | Morse            |
| Huffman        | Nicholson        |
| Humphrey       | Phillips         |
| Kersey         | Smith of Bastrop |

The Speaker then laid House Bill No. 1070 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—119

|                  |                   |
|------------------|-------------------|
| Allison          | Huddleston        |
| Alsup            | Hughes            |
| Avant            | Hutchinson        |
| Bailey           | Isaacks           |
| Baker            | Jones             |
| Bell             | Kelly             |
| Benton           | Kennedy           |
| Blankenship      | Kinard            |
| Boone            | King              |
| Brawner          | Klingeman         |
| Bridgers         | Knight            |
| Brown            | Lansberry         |
| Bruhl            | Lehman            |
| Bullock          | Leyendecker       |
| Bundy            | Little            |
| Burkett          | Lock              |
| Burnaman         | Love              |
| Carlton          | Lucas             |
| Carrington       | Lyle              |
| Cato             | McCann            |
| Clark            | McDonald          |
| Cleveland        | McGlasson         |
| Coker            | McLellan          |
| Colson, Mrs.     | McNamara          |
| Craig            | Manford           |
| Crossley         | Manning           |
| Daniel           | Markle            |
| Davis            | Matthews          |
| Deen             | Moore             |
| Dickson of Bexar | Morris            |
| Dickson of Nolan | Murray            |
| Donald           | Pace              |
| Dove             | Parker            |
| Duckett          | Pevehouse         |
| Dwyer            | Price             |
| Ellis            | Rampy             |
| Eubank           | Reed of Bowie     |
| Evans            | Reed of Dallas    |
| Favors           | Ridgeway          |
| Ferguson         | Rhodes            |
| Fuchs            | Roark             |
| Gandy            | Roberts           |
| Garland          | Sallas            |
| Gilmer           | Senterfitt        |
| Goodman          | Simpson           |
| Halsey           | Smith of Atascosa |
| Hargis           | Spacek            |
| Harris of Dallas | Spangler          |
| Hartzog          | Stanford          |
| Heflin           | Stinson           |
| Helpinstill      | Stubbs            |
| Henderson        | Taylor            |
| Hileman          | Thornton          |
| Hobbs            | Turner            |
| Howard           | Vale              |
| Howington        | Voigt             |
| Hoyo             | Walters           |

|             |            |
|-------------|------------|
| Wattner     | Whitesides |
| Weatherford | Winfree    |
| White       |            |

## Present—Not Voting

Bray

## Absent

|                |                  |
|----------------|------------------|
| Bean           | McAlister        |
| Chambers       | McMurry          |
| Crosthwait     | Montgomery       |
| Files          | Morgan           |
| Fitzgerald     | Sharpe           |
| Hanna          | Shell            |
| Hardeman       | Skiles           |
| Absent—Excused |                  |
| Allen          | Lowry            |
| Celaya         | Martin           |
| Connelly       | Mills            |
| Harris of Hill | Morse            |
| Huffman        | Nicholson        |
| Humphrey       | Phillips         |
| Kersey         | Smith of Bastrop |

HOUSE BILL NO. 1068 ON  
SECOND READING

(By unanimous consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1068, A bill to be entitled "An Act to amend Article X of House Bill No. 8, passed by the Regular Session of the Forty-seventh Legislature, placing a gross receipts tax upon the retail sales of new radios and placing a stamp tax upon the sale of cosmetics and playing cards, and declaring an emergency."

The bill was read second time.

Mr. Boone offered the following amendment to the bill:

Amend Section One of House Bill No. 1068 by adding at the beginning of said section the following:

"Article X (10) of House Bill No. 8, Acts of the Regular Session of the 47th Legislature is hereby amended so as to hereafter read as follows:"

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 1068 was then passed to engrossment.

HOUSE BILL NO. 1068 ON THIRD  
READING

Mr. Boone moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 1068 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—114

|                  |                |
|------------------|----------------|
| Allison          | Henderson      |
| Alsup            | Hileman        |
| Avant            | Hobbs          |
| Bailey           | Howington      |
| Bell             | Hoyo           |
| Benton           | Huddleston     |
| Blankenship      | Hughes         |
| Boone            | Hutchinson     |
| Brawner          | Isaacks        |
| Bray             | Jones          |
| Bridgers         | Kelly          |
| Brown            | Kennedy        |
| Bruhl            | Kinard         |
| Burkett          | Klingeman      |
| Carlton          | Knight         |
| Carrington       | Lansberry      |
| Cato             | Lehman         |
| Clark            | Leyendecker    |
| Cleveland        | Little         |
| Coker            | Lock           |
| Colson, Mrs.     | Love           |
| Craig            | Lucas          |
| Crossley         | Lyle           |
| Crosthwait       | McCann         |
| Daniel           | McDonald       |
| Davis            | McGlasson      |
| Dickson of Bexar | McLellan       |
| Dickson of Nolan | McNamara       |
| Donald           | Manford        |
| Dove             | Manning        |
| Duckett          | Markle         |
| Dwyer            | Matthews       |
| Ellis            | Moore          |
| Eubank           | Morgan         |
| Evans            | Morris         |
| Favors           | Murray         |
| Ferguson         | Pace           |
| Files            | Parker         |
| Fitzgerald       | Pevehouse      |
| Fuchs            | Price          |
| Gandy            | Rampy          |
| Goodman          | Reed of Bowie  |
| Halsey           | Reed of Dallas |
| Hanna            | Ridgeway       |
| Hardeman         | Rhodes         |
| Hargis           | Roberts        |
| Harris of Dallas | Sallas         |
| Hartzog          | Senterfitt     |
| Helpinstill      | Shell          |

|                   |             |
|-------------------|-------------|
| Simpson           | Vale        |
| Smith of Atascosa | Voigt       |
| Stanford          | Walters     |
| Stinson           | Wattner     |
| Stubbs            | Weatherford |
| Taylor            | White       |
| Thornton          | Whitesides  |
| Turner            | Winfree     |

Absent

|          |            |
|----------|------------|
| Baker    | Howard     |
| Bean     | King       |
| Bullock  | McAlister  |
| Bundy    | McMurry    |
| Burnaman | Montgomery |
| Chambers | Roark      |
| Deen     | Sharpe     |
| Garland  | Skiles     |
| Gilmer   | Spacek     |
| Heflin   | Spangler   |

Absent—Excused

|                |                  |
|----------------|------------------|
| Allen          | Lowry            |
| Celaya         | Martin           |
| Connelly       | Mills            |
| Harris of Hill | Morse            |
| Huffman        | Nicholson        |
| Humphrey       | Phillips         |
| Kersey         | Smith of Bastrop |

The Speaker then laid House Bill No. 1068 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—114

|              |                  |
|--------------|------------------|
| Allison      | Daniel           |
| Alsup        | Davis            |
| Avant        | Dickson of Bexar |
| Bailey       | Dickson of Nolan |
| Bell         | Donald           |
| Benton       | Dove             |
| Blankenship  | Duckett          |
| Boone        | Dwyer            |
| Brawner      | Ellis            |
| Bray         | Eubank           |
| Bridgers     | Evans            |
| Brown        | Favors           |
| Bruhl        | Ferguson         |
| Burkett      | Files            |
| Carlton      | Fitzgerald       |
| Carrington   | Fuchs            |
| Cato         | Gandy            |
| Clark        | Goodman          |
| Cleveland    | Halsey           |
| Coker        | Hanna            |
| Colson, Mrs. | Hardeman         |
| Craig        | Hargis           |
| Crossley     | Harris of Dallas |
| Crosthwait   | Hartzog          |

|             |                   |
|-------------|-------------------|
| Helpinstill | Moore             |
| Henderson   | Morgan            |
| Hileman     | Morris            |
| Hobbs       | Murray            |
| Howington   | Pace              |
| Hoyo        | Parker            |
| Huddleston  | Pevehouse         |
| Hughes      | Price             |
| Hutchinson  | Rampy             |
| Isaacks     | Reed of Bowle     |
| Jones       | Reed of Dallas    |
| Kelly       | Ridgeway          |
| Kennedy     | Rhodes            |
| Kinard      | Roberts           |
| Klingeman   | Sallas            |
| Knight      | Senterfitt        |
| Lansberry   | Shell             |
| Lehman      | Simpson           |
| Leyendecker | Smith of Atascosa |
| Little      | Stanford          |
| Lock        | Stinson           |
| Love        | Stubbs            |
| Lucas       | Taylor            |
| Lyle        | Thornton          |
| McCann      | Turner            |
| McDonald    | Vale              |
| McGlasson   | Voigt             |
| McLellan    | Walters           |
| McNamara    | Wattner           |
| Manford     | Weatherford       |
| Manning     | White             |
| Markle      | Whitesides        |
| Matthews    | Winfree           |

## Absent

|          |            |
|----------|------------|
| Baker    | Howard     |
| Bean     | King       |
| Bullock  | McAlister  |
| Bundy    | McMurry    |
| Burnaman | Montgomery |
| Chambers | Roark      |
| Deen     | Sharpe     |
| Garland  | Skiles     |
| Gilmer   | Spacek     |
| Heflin   | Spangler   |

## Absent—Excused

|                |                  |
|----------------|------------------|
| Allen          | Lowry            |
| Celaya         | Martin           |
| Connelly       | Mills            |
| Harris of Hill | Morse            |
| Huffman        | Nicholson        |
| Humphrey       | Phillips         |
| Kersey         | Smith of Bastrop |

## RELATIVE TO HOUSE CONCURRENT RESOLUTION NO. 196

Mr. Dickson of Nolan was granted unanimous consent of the House to sign House Concurrent Resolution No. 196.

Mr. Hileman was granted unanimous consent of the House to withdraw his name from House Concurrent Resolution No. 196.

## HOUSE BILL NO. 32 WITH SENATE AMENDMENTS

Mr. Clark called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 32, A bill to be entitled "An Act making it unlawful and a felony for any person to steal any mercury used in a gas meter or measuring device or regulating device, providing for a penalty for violation of the terms of this Act, providing that it shall be prima facie evidence that mercury has been stolen to have such mercury in one's possession or to transport the same without a bill of sale or, not having a bill of sale, to be otherwise unable to establish title thereto; defining the term 'steal' and providing that such word need not be defined in any indictment for prosecution under the terms of this Act, and providing that the Act shall be cumulative of all laws of the State, and authorizing the prosecution thereunder whether or not the Acts complained of constitute the essential elements of other or different offenses against the penal laws, providing a saving clause and declaring an emergency."

On motion of Mr. Clark, the House concurred in the Senate amendments by the following vote:

## Yeas—112

|             |                  |
|-------------|------------------|
| Allison     | Cato             |
| Alsup       | Chambers         |
| Avant       | Clark            |
| Bailey      | Cleveland        |
| Baker       | Coker            |
| Bell        | Colson, Mrs.     |
| Benton      | Craig            |
| Blankenship | Crossley         |
| Boone       | Crosthwait       |
| Brawner     | Daniel           |
| Bray        | Davis            |
| Bridgers    | Deen             |
| Brown       | Dickson of Bexar |
| Bruhl       | Dickson of Nolan |
| Bundy       | Donald           |
| Burkett     | Dove             |
| Burnaman    | Duckett          |
| Carlton     | Ellis            |
| Carrington  | Eubank           |

|                  |                   |
|------------------|-------------------|
| Evans            | McCann            |
| Favors           | McDonald          |
| Ferguson         | McLellan          |
| Files            | McMurry           |
| Fitzgerald       | Manford           |
| Fuchs            | Markle            |
| Gandy            | Matthews          |
| Gilmer           | Montgomery        |
| Halsey           | Moore             |
| Hanna            | Morris            |
| Hardeman         | Pace              |
| Hargis           | Parker            |
| Harris of Dallas | Pevehouse         |
| Hartzog          | Price             |
| Heflin           | Rampy             |
| Helpinstill      | Reed of Bowie     |
| Henderson        | Reed of Dallas    |
| Hileman          | Ridgeway          |
| Howington        | Rhodes            |
| Hoyo             | Roark             |
| Huddleston       | Roberts           |
| Hutchinson       | Sallas            |
| Isaacks          | Senterfitt        |
| Jones            | Shell             |
| Kelly            | Smith of Atascosa |
| Kennedy          | Stinson           |
| Kinard           | Taylor            |
| King             | Thornton          |
| Klingeman        | Turner            |
| Knight           | Vale              |
| Lehman           | Voigt             |
| Leyendecker      | Walters           |
| Little           | Wattner           |
| Lock             | Weatherford       |
| Love             | White             |
| Lucas            | Whitesides        |
| McAlister        | Winfree           |

**Nays—8**

|           |          |
|-----------|----------|
| Goodman   | McNamara |
| Hughes    | Murray   |
| Lansberry | Simpson  |
| McGlasson | Spacek   |

**Absent**

|         |          |
|---------|----------|
| Bean    | Manning  |
| Bullock | Morgan   |
| Dwyer   | Sharpe   |
| Garland | Skiles   |
| Hobbs   | Spangler |
| Howard  | Stanford |
| Lyle    | Stubbs   |

**Absent—Excused**

|                |                  |
|----------------|------------------|
| Allen          | Lowry            |
| Celaya         | Martin           |
| Connelly       | Mills            |
| Harris of Hill | Morse            |
| Huffman        | Nicholson        |
| Humphrey       | Phillips         |
| Kersey         | Smith of Bastrop |

**HOUSE BILL NO. 361 WITH SENATE AMENDMENTS**

Mr. Hobbs called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 361, A bill to be entitled "An Act declaring the floods of Lavaca County, Texas, to be a public calamity; authorizing a donation and grant to Lavaca County Flood Control District of one-half of the State ad valorem taxes collected in Lavaca County for flood control improvement and maintenance purposes, specifying the reports thereon to be made by the Assessor and Collector of Texas; authorizing the issuance of bonds secured by a pledge of the funds donated and granted by the State and prescribing the manner of issuance thereof; providing the procedure hereunder for all matters relating to said donation; providing that if any provision of this Act shall be held invalid, the other provisions shall not be affected, and declaring an emergency."

Mr. Hobbs moved that the House concur in Senate amendments to House Bill No. 361.

Mr. McAlister moved to table the motion to concur.

The motion to table was lost.

The House then concurred in Senate amendments to House Bill No. 361 by the following vote:

**Yeas—78**

|                  |             |
|------------------|-------------|
| Avant            | Eubank      |
| Baker            | Evans       |
| Bell             | Favors      |
| Boone            | Ferguson    |
| Bridgers         | Fitzgerald  |
| Bruhl            | Fuchs       |
| Carrington       | Gilmer      |
| Cato             | Goodman     |
| Chambers         | Halsey      |
| Cleveland        | Hardeman    |
| Coker            | Hargis      |
| Colson, Mrs.     | Hartzog     |
| Crosthwait       | Heflin      |
| Daniel           | Helpinstill |
| Deen             | Henderson   |
| Dickson of Bexar | Hobbs       |
| Donald           | Hoyo        |
| Dove             | Hughes      |
| Duckett          | Hutchinson  |
| Dwyer            | Kelly       |

|             |                   |
|-------------|-------------------|
| Kennedy     | Pevehouse         |
| Kinard      | Price             |
| Klingeman   | Rampy             |
| Leyendecker | Reed of Dallas    |
| Little      | Rhodes            |
| Lock        | Roark             |
| Love        | Sallas            |
| Lucas       | Shell             |
| Lyle        | Smith of Atascosa |
| McCann      | Spacek            |
| McDonald    | Stanford          |
| McLellan    | Stinson           |
| McMurry     | Taylor            |
| Manford     | Turner            |
| Manning     | Vale              |
| Matthews    | Weatherford       |
| Montgomery  | White             |
| Murray      | Whitesides        |
| Pace        | Winfree           |

**Nays—41**

|                  |               |
|------------------|---------------|
| Allison          | Huddleston    |
| Alsup            | Jones         |
| Bailey           | King          |
| Benton           | Knight        |
| Blankenship      | Lansberry     |
| Brawner          | Lehman        |
| Bray             | McAlister     |
| Bullock          | McGlasson     |
| Burkett          | McNamara      |
| Carlton          | Moore         |
| Craig            | Morgan        |
| Crossley         | Morris        |
| Davis            | Parker        |
| Dickson of Nolan | Reed of Bowie |
| Ellis            | Roberts       |
| Files            | Senterfitt    |
| Gandy            | Simpson       |
| Hanna            | Voigt         |
| Harris of Dallas | Walters       |
| Hileman          | Wattner       |
| Howington        |               |

**Absent**

|          |          |
|----------|----------|
| Bean     | Markle   |
| Brown    | Ridgeway |
| Bundy    | Sharpe   |
| Burnaman | Skiles   |
| Clark    | Spangler |
| Garland  | Stubbs   |
| Howard   | Thornton |
| Isaacks  |          |

**Absent—Excused**

|                |                  |
|----------------|------------------|
| Allen          | Lowry            |
| Celaya         | Martin           |
| Connelly       | Mills            |
| Harris of Hill | Morse            |
| Huffman        | Nicholson        |
| Humphrey       | Phillips         |
| Kersey         | Smith of Bastrop |

Mr. Bell moved to reconsider the vote by which the House concurred in Senate amendments to House Bill No. 361 and to table the motion to reconsider.

The motion to table prevailed.

**HOUSE BILL NO. 620 WITH SENATE AMENDMENTS**

Mr. Bell called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 620, A bill to be entitled "An Act amending Section 2 of Chapter 5, Acts, Second Called Session of the Forty-third Legislature, as amended by Chapter 459, Acts, Second Called Session of the Forty-fourth Legislature, and declaring an emergency."

On motion of Mr. Bell, the House concurred in the Senate amendments by the following vote:

**Yeas—108**

|                  |                  |
|------------------|------------------|
| Allison          | Fitzgerald       |
| Alsup            | Fuchs            |
| Avant            | Gandy            |
| Bailey           | Gilmer           |
| Baker            | Goodman          |
| Bell             | Halsey           |
| Benton           | Hanna            |
| Blankenship      | Hardeman         |
| Bray             | Hargis           |
| Bridgers         | Harris of Dallas |
| Bruhl            | Hartzog          |
| Bullock          | Heflin           |
| Bundy            | Helpinstill      |
| Burnaman         | Henderson        |
| Carlton          | Hileman          |
| Carrington       | Hobbs            |
| Cato             | Howington        |
| Chambers         | Hoyo             |
| Cleveland        | Huddleston       |
| Coker            | Hughes           |
| Colson, Mrs.     | Hutchinson       |
| Crossley         | Isaacks          |
| Crosthwait       | Jones            |
| Daniel           | Kelly            |
| Davis            | Kennedy          |
| Dickson of Nolan | Kinard           |
| Donald           | Klingeman        |
| Dove             | Knight           |
| Duckett          | Lehman           |
| Ellis            | Leyendecker      |
| Evans            | Little           |
| Favors           | Lock             |
| Ferguson         | Love             |
| Files            | Lucas            |



|                |                   |
|----------------|-------------------|
| Lyle           | Roark             |
| McCann         | Sallas            |
| McDonald       | Senterfitt        |
| McLellan       | Shell             |
| McMurry        | Simpson           |
| Manford        | Smith of Atascosa |
| Markle         | Spacek            |
| Matthews       | Spangler          |
| Montgomery     | Stanford          |
| Moore          | Stinson           |
| Morris         | Taylor            |
| Murray         | Thornton          |
| Pace           | Turner            |
| Parker         | Vale              |
| Pevehouse      | Walters           |
| Price          | Wattner           |
| Reed of Bowle  | Weatherford       |
| Reed of Dallas | White             |
| Ridgeway       | Whitesides        |
| Rhodes         | Winfree           |

## Nays—9

|         |           |
|---------|-----------|
| Burkett | Lansberry |
| Clark   | McAlister |
| Craig   | Roberts   |
| Eubank  | Voigt     |
| King    |           |

## Absent

|                  |           |
|------------------|-----------|
| Bean             | McGlasson |
| Boone            | McNamara  |
| Brawner          | Manning   |
| Brown            | Morgan    |
| Deen             | Rampy     |
| Dickson of Bexar | Sharpe    |
| Dwyer            | Skiles    |
| Garland          | Stubbs    |
| Howard           |           |

## Absent—Excused

|                |                  |
|----------------|------------------|
| Allen          | Lowry            |
| Celaya         | Martin           |
| Connelly       | Mills            |
| Harris of Hill | Morse            |
| Huffman        | Nicholson        |
| Humphrey       | Phillips         |
| Kersey         | Smith of Bastrop |

Mr. Bell moved to reconsider the vote by which the motion to concur prevailed and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 670 WITH  
SENATE AMENDMENTS

Mr. Thornton called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 670, A bill to be entitled "An Act to establish and maintain

an Agricultural Experiment Station for the development of dairy, poultry and truck crops in the Thirty-fifth District of Texas, authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to select a suitable location for said station and empowering said Board of Directors to establish and maintain the same; to accept donations of land, water and money for establishing said station and for the operation of same; and declaring an emergency."

Mr. Thornton moved that the House concur in Senate amendments to House Bill No. 670.

Mr. Hanna moved to table the motion by Mr. Thornton.

The motion to table prevailed.

Mr. Craig moved that the House do not concur in the Senate amendments, and that a Conference Committee be requested to adjust the differences between the two Houses on the bill.

Mr. Hanna moved to table the motion by Mr. Craig.

The motion to table was lost.

Question then recurring on the motion by Mr. Craig, it prevailed.

INSTRUCTIONS TO CONFERENCE  
COMMITTEE ON HOUSE  
BILL NO. 670

On motion of Mr. Hanna, the Conference Committee on House Bill No. 670 was instructed to delete all appropriations from the bill.

APPOINTMENT OF CONFERENCE  
COMMITTEE ON HOUSE  
BILL NO. 670

The Speaker announced the appointment of the following Conference Committee on House Bill No. 670:

Messrs. Thornton, Reed of Bowle, Kennedy, Hanna and Eubank.

CONSIDERATION OF SENATE  
BILL NO. 20 WITH VETO  
BY THE GOVERNOR

Mr. Stinson moved to pass, at this time, Senate Bill No. 20 notwithstanding the veto of the Governor,

S. B. No. 20, A bill to be entitled "An Act providing a more efficient fiscal system for the State of Texas, creating a legislative audit committee; and declaring an emergency."

(Pending consideration of the motion by Mr. Stinson, Mr. McMurry occupied the Chair temporarily.)

(Speaker in the Chair.)

Senate Bill No. 20 failed to pass notwithstanding the veto of the Governor by the following vote (not receiving the necessary two-thirds vote):

Yeas—69

|                  |                   |
|------------------|-------------------|
| Allison          | Lansberry         |
| Alsup            | Lehman            |
| Bailey           | Leyendecker       |
| Bell             | Little            |
| Benton           | Lock              |
| Brawner          | Love              |
| Bray             | Lyle              |
| Bridgers         | McAlister         |
| Brown            | McMurry           |
| Carlton          | McNamara          |
| Cato             | Manford           |
| Clark            | Manning           |
| Cleveland        | Markle            |
| Coker            | Montgomery        |
| Crosthwait       | Morgan            |
| Daniel           | Reed of Bowie     |
| Dickson of Nolan | Reed of Dallas    |
| Donald           | Roark             |
| Dove             | Senterfitt        |
| Eubank           | Shell             |
| Files            | Simpson           |
| Fitzgerald       | Skiles            |
| Garland          | Smith of Atascosa |
| Halsey           | Spacek            |
| Hanna            | Stinson           |
| Hartzog          | Stubbs            |
| Heflin           | Taylor            |
| Henderson        | Thornton          |
| Hileman          | Turner            |
| Howington        | Vale              |
| Hughes           | Wattner           |
| Humphrey         | Weatherford       |
| Isaacks          | Whitesides        |
| Jones            | Winfree           |
| Klingeman        |                   |

Nays—57

|             |            |
|-------------|------------|
| Avant       | Burkett    |
| Baker       | Carrington |
| Blankenship | Chambers   |
| Bruhl       | Craig      |
| Bullock     | Crossley   |
| Bundy       | Davis      |

|                  |           |
|------------------|-----------|
| Dickson of Bexar | McCann    |
| Duckett          | McDonald  |
| Dwyer            | McGlasson |
| Ellis            | McLellan  |
| Favors           | Matthews  |
| Ferguson         | Moore     |
| Fuchs            | Morris    |
| Gandy            | Murray    |
| Gilmer           | Pace      |
| Goodman          | Parker    |
| Hardeman         | Pevehouse |
| Hargis           | Price     |
| Harris of Dallas | Rampy     |
| Helpinstill      | Ridgeway  |
| Hobbs            | Rhodes    |
| Hoyo             | Roberts   |
| Hutchinson       | Sallas    |
| Kelly            | Spangler  |
| Kennedy          | Stanford  |
| Kinard           | Voigt     |
| King             | Walters   |
| Knight           | White     |
| Lucas            |           |

Absent

|              |            |
|--------------|------------|
| Bean         | Evans      |
| Boone        | Howard     |
| Burnaman     | Huddleston |
| Colson, Mrs. | Sharpe     |
| Deen         |            |

Absent—Excused

|                |                  |
|----------------|------------------|
| Allen          | Martin           |
| Celaya         | Mills            |
| Connelly       | Morse            |
| Harris of Hill | Nicholson        |
| Huffman        | Phillips         |
| Kersey         | Smith of Bastrop |
| Lowry          |                  |

Mr. Kinard moved to reconsider the vote by which the House refused to pass Senate Bill No. 20 notwithstanding the veto of the Governor and asked to have the motion to reconsider spread on the Journal.

HOUSE JOINT RESOLUTION NO. 23 WITH SENATE AMENDMENTS

Mr. Brawner called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. J. R. No. 23, Proposing an amendment to Article 3 of the Constitution of the State of Texas authorizing the lending of Two Million Dollars (\$2,000,000.00) of the Permanent School Fund for the construction of the State office

building, or buildings; providing for repayment to the Permanent School Fund; providing for the submission of this Amendment to the voters of this State; and providing for the necessary proclamation and expenses of publication.

Mr. Brawner moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the resolution.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following Conference Committee on House Joint Resolution No. 23:

Messrs. Brawner, Gilmer, McNamara, Boone and Moore.

#### HOUSE CONCURRENT RESOLUTION NO. 155 WITH SENATE AMENDMENTS

Mr. Bell called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. C. R. No. 155, To grant John W. Hoch permission to sue the State.

On motion of Mr. Bell, the House concurred in the Senate amendments by the following vote:

#### Yeas—115

|             |                  |
|-------------|------------------|
| Allison     | Coker            |
| Alsup       | Colson, Mrs.     |
| Avant       | Crossley         |
| Bailey      | Crosthwait       |
| Baker       | Daniel           |
| Bell        | Davis            |
| Benton      | Dickson of Bexar |
| Blankenship | Dickson of Nolan |
| Boone       | Donald           |
| Bray        | Dove             |
| Bridgers    | Duckett          |
| Brown       | Dwyer            |
| Bruhl       | Evans            |
| Bullock     | Ferguson         |
| Bundy       | Files            |
| Burkett     | Fitzgerald       |
| Burnaman    | Fuchs            |
| Carlton     | Gandy            |
| Carrington  | Goodman          |
| Cato        | Halsey           |
| Chambers    | Hanna            |
| Cleveland   | Hardeman         |
| Clark       | Hargis           |

|                  |                   |
|------------------|-------------------|
| Harris of Dallas | Montgomery        |
| Hartzog          | Moore             |
| Heflin           | Morris            |
| Helpinstill      | Murray            |
| Henderson        | Pace              |
| Hobbs            | Parker            |
| Howard           | Pevehouse         |
| Howington        | Price             |
| Hoyo             | Rampy             |
| Hughes           | Reed of Bowie     |
| Humphrey         | Reed of Dallas    |
| Hutchinson       | Ridgeway          |
| Jones            | Rhodes            |
| Kelly            | Roark             |
| Kennedy          | Roberts           |
| Kinard           | Sallas            |
| King             | Senterfitt        |
| Klingeman        | Shell             |
| Knight           | Simpson           |
| Lansberry        | Skiles            |
| Lehman           | Smith of Atascosa |
| Leyendecker      | Spangler          |
| Little           | Stanford          |
| Lock             | Stinson           |
| Love             | Stubbs            |
| Lucas            | Taylor            |
| McAlister        | Thornton          |
| McCann           | Turner            |
| McDonald         | Vale              |
| McGlasson        | Walters           |
| McMurry          | Wattner           |
| McNamara         | White             |
| Manford          | Whitesides        |
| Markle           | Winfree           |
| Matthews         |                   |

#### Absent

|         |             |
|---------|-------------|
| Bean    | Huddleston  |
| Brawner | Isaacks     |
| Craig   | Lyle        |
| Deen    | McLellan    |
| Ellis   | Manning     |
| Eubank  | Morgan      |
| Favors  | Sharpe      |
| Garland | Spacek      |
| Gilmer  | Voigt       |
| Hileman | Weatherford |

#### Absent—Excused

|                |                  |
|----------------|------------------|
| Allen          | Martin           |
| Celaya         | Mills            |
| Connelly       | Morse            |
| Harris of Hill | Nicholson        |
| Huffman        | Phillips         |
| Kersey         | Smith of Bastrop |
| Lowry          |                  |

#### HOUSE BILL NO. 990 WITH SENATE AMENDMENTS

Mr. Brown called up from the Speaker's table, with Senate amend-

ments, for consideration of the amendments,

H. B. No. 990, A bill to be entitled "An Act authorizing Gulf Coast counties in Texas having fifty thousand population or more to construct, acquire, improve, operate and maintain causeways, bridges, tunnels or any combination thereof, including related properties and ferries, and to issue their revenue bonds payable solely from the revenues to be derived from the operation of such projects; making various provisions with respect thereto and with respect to the security and enforcement of such bonds, including provision for the execution of trust indentures, for the appointment of receivers for such projects, and for the deposit and security of funds in banks and trust companies; etc.; and declaring an emergency."

On motion of Mr. Brown, the House concurred in the Senate amendments by the following vote:

## Yeas—120

|                  |                  |
|------------------|------------------|
| Allison          | Donald           |
| Alsup            | Dove             |
| Avant            | Duckett          |
| Bailey           | Ellis            |
| Baker            | Eubank           |
| Bean             | Evans            |
| Bell             | Favors           |
| Benton           | Ferguson         |
| Blankenship      | Files            |
| Boone            | Fitzgerald       |
| Brawner          | Fuchs            |
| Bray             | Gandy            |
| Bridgers         | Garland          |
| Brown            | Goodman          |
| Bruhl            | Halsey           |
| Bullock          | Hanna            |
| Bundy            | Hardeman         |
| Burkett          | Hargis           |
| Burnaman         | Harris of Dallas |
| Carlton          | Heflin           |
| Carrington       | Helpinstill      |
| Cato             | Henderson        |
| Chambers         | Hileman          |
| Clark            | Hobbs            |
| Cleveland        | Howington        |
| Coker            | Hoyo             |
| Colson, Mrs.     | Hughes           |
| Craig            | Humphrey         |
| Crossley         | Hutchinson       |
| Crosthwait       | Jones            |
| Daniel           | Kelly            |
| Davis            | Kennedy          |
| Dickson of Nolan | Kinard           |

|             |                   |
|-------------|-------------------|
| Klingeman   | Rampy             |
| Knight      | Reed of Bowie     |
| Lansberry   | Reed of Dallas    |
| Lehman      | Ridgeway          |
| Leyendecker | Rhodes            |
| Little      | Roark             |
| Lock        | Roberts           |
| Love        | Sallas            |
| Lucas       | Senterfitt        |
| Lyle        | Shell             |
| McAlister   | Simpson           |
| McCann      | Skiles            |
| McDonald    | Smith of Atascosa |
| McGlasson   | Spangler          |
| McMurry     | Stanford          |
| McNamara    | Stinson           |
| Manford     | Stubbs            |
| Markle      | Taylor            |
| Matthews    | Thornton          |
| Montgomery  | Turner            |
| Moore       | Vale              |
| Morris      | Voigt             |
| Murray      | Walters           |
| Pace        | Wattner           |
| Parker      | White             |
| Pevehouse   | Whitesides        |
| Price       | Winfree           |

## Absent

|                  |             |
|------------------|-------------|
| Deen             | King        |
| Dickson of Bexar | McLellan    |
| Dwyer            | Manning     |
| Gilmer           | Morgan      |
| Hartzog          | Sharpe      |
| Howard           | Spacek      |
| Huddleston       | Weatherford |
| Isaacks          |             |

## Absent—Excused

|                |                  |
|----------------|------------------|
| Allen          | Martin           |
| Celaya         | Mills            |
| Connelly       | Morse            |
| Harris of Hill | Nicholson        |
| Huffman        | Phillips         |
| Kersey         | Smith of Bastrop |
| Lowry          |                  |

HOUSE BILL NO. 971 WITH  
SENATE AMENDMENTS

Mr. Lyle called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 971, A bill to be entitled "An Act authorizing cities and towns eligible under the terms of this Act to fund certain indebtedness outstanding on the effective date of this Act; prescribing the method and procedure for issuance of funding or refunding bonds, and which cities

or town cannot derive revenues for general fund operating expenses from any publicly owned utilities at this time; validating such outstanding indebtedness not in litigation at the time this Act becomes effective; providing that this Act shall not increase the debt burden of any such city or town; providing that this Act shall be cumulative of all other Acts, but that its provisions shall prevail in the event of conflict with other laws; enacting provisions incident to and relating to the subject; and declaring an emergency."

On motion of Mr. Lyle, the House concurred in the Senate amendments by the following vote:

## Yeas—121

|                  |                  |
|------------------|------------------|
| Allison          | Files            |
| Alsup            | Fitzgerald       |
| Avant            | Fuchs            |
| Bailey           | Gandy            |
| Baker            | Garland          |
| Bean             | Goodman          |
| Bell             | Halsey           |
| Benton           | Hanna            |
| Blankenship      | Hardeman         |
| Boone            | Hargis           |
| Brawner          | Harris of Dallas |
| Bray             | Heflin           |
| Bridgers         | Helpinstill      |
| Brown            | Henderson        |
| Bruhl            | Hileman          |
| Bullock          | Hobbs            |
| Bundy            | Howard           |
| Burkett          | Howington        |
| Burnaman         | Hoyo             |
| Carlton          | Hughes           |
| Carrington       | Humphrey         |
| Cato             | Hutchinson       |
| Chambers         | Jones            |
| Clark            | Kelly            |
| Cleveland        | Kennedy          |
| Coker            | Kinard           |
| Colson, Mrs.     | Klingeman        |
| Craig            | Knight           |
| Crossley         | Lansberry        |
| Crosthwait       | Lehman           |
| Daniel           | Leyendecker      |
| Davis            | Little           |
| Dickson of Nolan | Lock             |
| Donald           | Love             |
| Dove             | Lucas            |
| Duckett          | Lyle             |
| Ellis            | McAlister        |
| Eubank           | McCann           |
| Evans            | McDonald         |
| Favors           | McGlasson        |
| Ferguson         | McMurry          |

|                |                   |
|----------------|-------------------|
| McNamara       | Senterfitt        |
| Manford        | Shell             |
| Markle         | Simpson           |
| Matthews       | Skiles            |
| Montgomery     | Smith of Atascosa |
| Moore          | Spangler          |
| Morris         | Stanford          |
| Murray         | Stinson           |
| Pace           | Stubbs            |
| Parker         | Taylor            |
| Pevehouse      | Thornton          |
| Price          | Turner            |
| Rampy          | Vale              |
| Reed of Bowie  | Voigt             |
| Reed of Dallas | Walters           |
| Ridgeway       | Wattner           |
| Rhodes         | White             |
| Roark          | Whitesides        |
| Roberts        | Winfree           |
| Sallas         |                   |

## Absent

|                  |             |
|------------------|-------------|
| Deen             | King        |
| Dickson of Bexar | McLellan    |
| Dwyer            | Manning     |
| Gilmer           | Morgan      |
| Hartzog          | Sharpe      |
| Huddleston       | Spacek      |
| Isaacks          | Weatherford |

## Absent—Excused

|                |                  |
|----------------|------------------|
| Allen          | Martin           |
| Celaya         | Mills            |
| Connelly       | Morse            |
| Harris of Hill | Nicholson        |
| Huffman        | Phillips         |
| Kersey         | Smith of Bastrop |
| Lowry          |                  |

ADDITIONAL SIGNER OF  
HOUSE BILL

By unanimous consent of the House, the following Member was authorized to sign bill as coauthor of same, as follows:

Mr. Eubank: House Bill No. 1071.

## REASON FOR VOTE

Mr. Speaker: I was absent, excused, on last Thursday, May 29, 1941. Had I been present I would have voted "yea" for Senate Bill No. 163. I request that I be recorded as voting "yea" on Senate Bill No. 163, the Junior College bill.

SHARPE.

HOUSE BILL NO. 821 WITH SEN-  
ATE AMENDMENTS

Mr. Roark called up from the Speaker's table, with Senate amend-

ments, for consideration of the amendments,

H. B. No. 821, A bill to be entitled "An Act to amend Rules 36a and 37a of Article 4477 of the Revised Statutes of the State of Texas, relative to the registration of births and deaths, and declaring an emergency."

Mr. Roark moved that the House concur in Senate amendments to House Bill No. 821.

Mr. Spacek moved as a substitute motion that the House do not concur in the Senate amendments, and that a Conference Committee be requested to adjust the differences between the two houses on the bill.

On motion of Mr. Roark, the substitute motion was tabled.

The House then concurred in Senate amendments to House Bill No. 821 by the following vote:

## Yeas—104

|                  |                  |
|------------------|------------------|
| Allison          | Dwyer            |
| Alsup            | Ellis            |
| Avant            | Eubank           |
| Bailey           | Evans            |
| Baker            | Favors           |
| Bell             | Ferguson         |
| Benton           | Fitzgerald       |
| Blankenship      | Garland          |
| Boone            | Goodman          |
| Brawner          | Halsey           |
| Bray             | Hargis           |
| Bridgers         | Harris of Dallas |
| Brown            | Heflin           |
| Bruhl            | Helpinstill      |
| Bullock          | Henderson        |
| Bundy            | Hileman          |
| Burkett          | Hobbs            |
| Burnaman         | Howington        |
| Carlton          | Hoyo             |
| Carrington       | Hughes           |
| Cato             | Humphrey         |
| Chambers         | Hutchinson       |
| Clark            | Isaacks          |
| Cleveland        | Jones            |
| Coker            | Kelly            |
| Craig            | Kennedy          |
| Crossley         | Kinard           |
| Crosthwait       | Klingeman        |
| Daniel           | Knight           |
| Davis            | Lehman           |
| Dickson of Bexar | Leyendecker      |
| Dickson of Nolan | Little           |
| Donald           | Love             |
| Duckett          | Lucas            |

|               |                   |
|---------------|-------------------|
| McAlister     | Reed of Dallas    |
| McCann        | Ridgeway          |
| McGlasson     | Roark             |
| McMurry       | Sallas            |
| McNamara      | Senterfitt        |
| Manford       | Simpson           |
| Manning       | Skiles            |
| Markle        | Smith of Atascosa |
| Matthews      | Spangler          |
| Morgan        | Stanford          |
| Morris        | Taylor            |
| Murray        | Thornton          |
| Pace          | Turner            |
| Parker        | Vale              |
| Pevehouse     | Wattner           |
| Price         | Weatherford       |
| Rampy         | White             |
| Reed of Bowie | Whitesides        |

## Nays—12

|          |         |
|----------|---------|
| Deen     | Rhodes  |
| Fuchs    | Roberts |
| Hanna    | Spacek  |
| King     | Stubbs  |
| Lock     | Walters |
| McLellan | Winfree |

## Absent

|              |            |
|--------------|------------|
| Bean         | Lansberry  |
| Colson, Mrs. | Lyle       |
| Dove         | McDonald   |
| Files        | Montgomery |
| Gandy        | Moore      |
| Gilmer       | Sharpe     |
| Hardeman     | Shell      |
| Hartzog      | Stinson    |
| Howard       | Voigt      |
| Huddleston   |            |

## Absent—Excused

|                |                  |
|----------------|------------------|
| Allen          | Martin           |
| Celaya         | Mills            |
| Connelly       | Morse            |
| Harris of Hill | Nicholson        |
| Huffman        | Phillips         |
| Kersey         | Smith of Bastrop |
| Lowry          |                  |

Mr. Roark moved to reconsider the vote by which the motion to concur prevailed and to table the motion to reconsider.

The motion to table prevailed.

### TO PROVIDE FOR CERTAIN RECESS PERIOD

Mr. Hughes offered the following resolution:

H. C. R. No. 179, To Provide for Certain Recess Period.

Whereas, There is today existing throughout the world a great crisis; and

Whereas, The world is confronted today with conditions unprecedented in the annals of history; and

Whereas, It is imperative that the governing bodies of the various States and of the United States keep constantly on the alert in order to prevent the loss of certain inalienable rights guaranteed to a free people; and

Whereas, There is still pending before the Legislature of Texas much legislation that is essential to sound government, and which should be enacted into law; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That on Tuesday, July 1, 1941, at twelve o'clock noon, the Legislature recess during the period from that date and hour until noon September 1, 1941, when it shall again convene at the State Capitol in Austin, Texas.

Be it further resolved, That during said period of recess that the Members of the Legislature, and the employees thereof, shall draw no pay, and that the elective officers of the said Legislature shall also be allowed no compensation during such recess, except such officers and employees as the President of the Senate and the Speaker of the House find necessary to retain.

HUGHES,  
HENDERSON,  
ROARK.

The resolution was read second time.

Mr. Blankenship moved to table the resolution.

The motion to table prevailed.

#### TO PROVIDE FOR ADJOURNMENT SINE DIE

Mr. Carlton offered the following resolution:

H. C. R. No. 192, To Provide for Adjournment Sine Die.

Be it resolved by the House of Representatives, the Senate Concurring, That the Legislature adjourn sine die at 6:00 o'clock p. m. on Monday, June 30th.

CARLTON,  
MORRIS,  
MOORE.

The resolution was read second time.

Mr. Manning moved to table the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

#### Yeas—83

|                  |                   |
|------------------|-------------------|
| Allison          | Hutchinson        |
| Bailey           | Isaacks           |
| Baker            | Kennedy           |
| Bean             | King              |
| Bell             | Klingeman         |
| Benton           | Knight            |
| Blankenship      | Lansberry         |
| Boone            | Love              |
| Bray             | Lucas             |
| Bridgers         | McAlister         |
| Brown            | McDonald          |
| Bundy            | McGlasson         |
| Burkett          | McNamara          |
| Burnaman         | Manford           |
| Carrington       | Manning           |
| Cato             | Markle            |
| Chambers         | Matthews          |
| Clark            | Morgan            |
| Cleveland        | Murray            |
| Coker            | Pace              |
| Craig            | Parker            |
| Crossley         | Pevehouse         |
| Davis            | Price             |
| Deen             | Rampy             |
| Dickson of Bexar | Reed of Bowie     |
| Dickson of Nolan | Reed of Dallas    |
| Donald           | Ridgeway          |
| Ellis            | Roark             |
| Favors           | Roberts           |
| Ferguson         | Senterfitt        |
| Garland          | Simpson           |
| Gilmer           | Smith of Atascosa |
| Goodman          | Spacek            |
| Hanna            | Spangler          |
| Hardeman         | Stanford          |
| Hartzog          | Stinson           |
| Helpinstill      | Stubbs            |
| Henderson        | Thornton          |
| Hobbs            | Walters           |
| Howington        | Wattner           |
| Hoyo             | Whitesides        |
| Humphrey         |                   |

#### Nays—42

|         |            |
|---------|------------|
| Alsup   | Carlton    |
| Avant   | Crosthwait |
| Brawner | Daniel     |
| Bruhl   | Dove       |
| Bullock | Duckett    |

|                  |             |
|------------------|-------------|
| Dwyer            | Lyle        |
| Eubank           | McCann      |
| Evans            | McLellan    |
| Fitzgerald       | McMurry     |
| Fuchs            | Montgomery  |
| Halsey           | Moore       |
| Hargis           | Morris      |
| Harris of Dallas | Rhodes      |
| Hileman          | Sallas      |
| Hughes           | Skiles      |
| Jones            | Taylor      |
| Kinard           | Turner      |
| Lehman           | Vale        |
| Leyendecker      | Voigt       |
| Little           | Weatherford |
| Lock             | Winfree     |

**Absent**

|              |            |
|--------------|------------|
| Colson, Mrs. | Huddleston |
| Files        | Kelly      |
| Gandy        | Sharpe     |
| Heflin       | Shell      |
| Howard       | White      |

**Absent—Excused**

|                |                  |
|----------------|------------------|
| Allen          | Martin           |
| Celaya         | Mills            |
| Connelly       | Morse            |
| Harris of Hill | Nicholson        |
| Huffman        | Phillips         |
| Kersey         | Smith of Bastrop |
| Lowry          |                  |

**SUSPENDING HOUSE RULES**

Mr. Morgan moved to suspend the House Rules in order that the remaining sine die resolutions, on the Speaker's stand at this time, may be voted on without debate.

The motion to suspend the Rules prevailed by the following vote:

**Yeas—84**

|            |                  |
|------------|------------------|
| Allison    | Cleveland        |
| Avant      | Craig            |
| Bailey     | Crossley         |
| Baker      | Crosthwait       |
| Bean       | Daniel           |
| Bell       | Davis            |
| Benton     | Deen             |
| Boone      | Dickson of Nolan |
| Bruhl      | Donald           |
| Bullock    | Dove             |
| Bundy      | Dwyer            |
| Burkett    | Evans            |
| Burnaman   | Favors           |
| Carlton    | Ferguson         |
| Carrington | Fitzgerald       |
| Cato       | Fuchs            |
| Chambers   | Goodman          |

|                  |                   |
|------------------|-------------------|
| Halsey           | McNamara          |
| Hanna            | Manford           |
| Harris of Dallas | Montgomery        |
| Hartzog          | Morgan            |
| Heflin           | Murray            |
| Helpinstill      | Pace              |
| Henderson        | Parker            |
| Hileman          | Pevehouse         |
| Hobbs            | Reed of Dallas    |
| Howington        | Ridgeway          |
| Hoyo             | Rhodes            |
| Hutchinson       | Roark             |
| Kelly            | Roberts           |
| Kennedy          | Sallas            |
| King             | Simpson           |
| Klingeman        | Smith of Atascosa |
| Knight           | Spangler          |
| Lansberry        | Stanford          |
| Lehman           | Stinson           |
| Leyendecker      | Turner            |
| Lock             | Vale              |
| Lucas            | Wattner           |
| McDonald         | Weatherford       |
| McGlasson        | Whitesides        |
| McLellan         | Winfree           |

**Nays—34**

|                  |               |
|------------------|---------------|
| Alsup            | McAlister     |
| Blankenship      | McMurry       |
| Brawner          | Manning       |
| Bray             | Markle        |
| Brown            | Matthews      |
| Clark            | Moore         |
| Coker            | Price         |
| Dickson of Bexar | Rampy         |
| Duckett          | Reed of Bowie |
| Ellis            | Senterfitt    |
| Hargis           | Skiles        |
| Hughes           | Spacek        |
| Humphrey         | Taylor        |
| Jones            | Thornton      |
| Little           | Voigt         |
| Love             | Walters       |
| Lyle             |               |

**Absent**

|              |            |
|--------------|------------|
| Bridgers     | Huddleston |
| Colson, Mrs. | Isaacks    |
| Eubank       | Kinard     |
| Files        | McCann     |
| Gandy        | Morris     |
| Garland      | Sharpe     |
| Gilmer       | Shell      |
| Hardeman     | Stubbs     |
| Howard       | White      |

**Absent—Excused**

|                |         |
|----------------|---------|
| Allen          | Huffman |
| Celaya         | Kersey  |
| Connelly       | Lowry   |
| Harris of Hill | Martin  |



Mills  
Morse  
Nicholson

Phillips  
Smith of Bastrop

Mr. Manning moved to suspend the Rules so that the proponents and opponents be allowed three minutes debate on each resolution.

The motion to suspend the Rules was lost by the following vote:

## Yeas—48

|                  |                   |
|------------------|-------------------|
| Alsup            | Lyle              |
| Avant            | McAlister         |
| Bean             | McCann            |
| Boone            | McMurry           |
| Brawner          | Manning           |
| Bray             | Markle            |
| Brown            | Matthews          |
| Cato             | Morris            |
| Clark            | Price             |
| Coker            | Rampy             |
| Daniel           | Reed of Bowie     |
| Davis            | Reed of Dallas    |
| Dickson of Bexar | Rhodes            |
| Ellis            | Roark             |
| Evans            | Senterfitt        |
| Files            | Simpson           |
| Fuchs            | Smith of Atascosa |
| Gilmer           | Stubbs            |
| Hardeman         | Taylor            |
| Harris of Dallas | Thornton          |
| Humphrey         | Vale              |
| Jones            | Voigt             |
| Lansberry        | Walters           |
| Love             | Wattner           |

## Nays—68

|                  |             |
|------------------|-------------|
| Allison          | Favors      |
| Bailey           | Ferguson    |
| Baker            | Fitzgerald  |
| Bell             | Garland     |
| Benton           | Goodman     |
| Bridgers         | Halsey      |
| Bruhl            | Hanna       |
| Bullock          | Hargis      |
| Bundy            | Hefin       |
| Burkett          | Helpinstill |
| Burnaman         | Henderson   |
| Carlton          | Hileman     |
| Chambers         | Howington   |
| Cleveland        | Hoyo        |
| Craig            | Hughes      |
| Crossley         | Hutchinson  |
| Crosthwaite      | Kennedy     |
| Deen             | King        |
| Dickson of Nolan | Klingeman   |
| Donald           | Knight      |
| Dove             | Lehman      |
| Duckett          | Leyendecker |
| Dwyer            | Little      |

Lock  
Lucas  
McDonald  
McGlasson  
McNamara  
Manford  
Montgomery  
Moore  
Morgan  
Pace  
Parker

Pevehouse  
Roberts  
Sallas  
Spacek  
Spangler  
Stanford  
Turner  
Weatherford  
White  
Whitesides  
Winfree

## Absent

|              |          |
|--------------|----------|
| Blankenship  | Kelly    |
| Carrington   | Kinard   |
| Colson, Mrs. | McLellan |
| Eubank       | Murray   |
| Gandy        | Ridgeway |
| Hartzog      | Sharpe   |
| Hobbs        | Shell    |
| Howard       | Skiles   |
| Huddleston   | Stinson  |
| Isaacks      |          |

## Absent—Excused

|                |                  |
|----------------|------------------|
| Allen          | Martin           |
| Celaya         | Mills            |
| Connelly       | Morse            |
| Harris of Hill | Nicholson        |
| Huffman        | Phillips         |
| Kersey         | Smith of Bastrop |
| Lowry          |                  |

## TO PROVIDE FOR RECESS PERIOD

Mr. Manning offered the following resolution:

H. C. R. No. 193, To provide for Recess Period.

Be it resolved by the House of Representatives of the Forty-seventh Legislature, the Senate concurring, That the House stand recessed from June 10, 1941, to June 30, 1941.

The resolution was read second time.

Mr. Morris raised a point of order that the House by a two-thirds vote cannot prevent the author of a bill or resolution from explaining same.

The Speaker overruled the point of order.

Mr. McAlister raised a point of order that the Rules were suspended before the resolution was laid before the House and therefore does not affect the resolution.

The Speaker overruled the point of order.

Mr. Blankenship moved to table the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

#### Yeas—91

|                  |                   |
|------------------|-------------------|
| Alsup            | Hutchinson        |
| Avant            | Kelly             |
| Bailey           | Kennedy           |
| Baker            | Kinard            |
| Bean             | King              |
| Bell             | Klingeman         |
| Benton           | Knight            |
| Blankenship      | Leyendecker       |
| Boone            | Little            |
| Bridgers         | Love              |
| Brown            | Lucas             |
| Bullock          | Lyle              |
| Burkett          | McAlister         |
| Carlton          | McDonald          |
| Carrington       | McGlasson         |
| Cato             | McMurry           |
| Chambers         | McNamara          |
| Clark            | Markle            |
| Cleveland        | Matthews          |
| Coker            | Moore             |
| Craig            | Morgan            |
| Crossley         | Morris            |
| Daniel           | Murray            |
| Davis            | Pace              |
| Dickson of Bexar | Parker            |
| Dickson of Nolan | Pevehouse         |
| Donald           | Price             |
| Dwyer            | Rampy             |
| Ellis            | Reed of Bowie     |
| Eubank           | Reed of Dallas    |
| Favors           | Ridgeway          |
| Ferguson         | Rhodes            |
| Fitzgerald       | Roark             |
| Gilmer           | Roberts           |
| Goodman          | Sallas            |
| Halsey           | Simpson           |
| Hanna            | Smith of Atascosa |
| Hardeman         | Spacek            |
| Hartzog          | Spangler          |
| Helpinstill      | Stanford          |
| Henderson        | Stinson           |
| Hileman          | Thornton          |
| Hobbs            | Vale              |
| Howington        | Walters           |
| Hoyo             | Wattner           |
| Humphrey         |                   |

#### Nays—34

|         |       |
|---------|-------|
| Allison | Bray  |
| Brawner | Bruhl |

|                  |             |
|------------------|-------------|
| Bundy            | Jones       |
| Burnaman         | Lansberry   |
| Crosthwait       | Lehman      |
| Deen             | Lock        |
| Dove             | McCann      |
| Duckett          | Manford     |
| Evans            | Manning     |
| Files            | Montgomery  |
| Fuchs            | Senterfitt  |
| Garland          | Skiles      |
| Hargis           | Taylor      |
| Harris of Dallas | Turner      |
| Heflin           | Weatherford |
| Hughes           | Whitesides  |
| Isaacks          | Winfree     |

#### Present—Not Voting

Stubbs

#### Absent

|              |        |
|--------------|--------|
| Colson, Mrs. | Sharpe |
| Gandy        | Shell  |
| Howard       | Voigt  |
| Huddleston   | White  |
| McLellan     |        |

#### Absent—Excused

|                |                  |
|----------------|------------------|
| Allen          | Martin           |
| Celaya         | Mills            |
| Connelly       | Morse            |
| Harris of Hill | Nicholson        |
| Huffman        | Phillips         |
| Kersey         | Smith of Bastrop |
| Lowry          |                  |

#### TO PROVIDE FOR ADJOURNMENT SINE DIE

Mr. Reed of Bowie offered the following resolution:

H. C. R. No. 195, To provide for Adjournment Sine Die.

Be it resolved by the House of Representatives of the 47th Legislature, the Senate concurring, That the Regular Session of the 47th Legislature adjourn sine die on Friday, June 6th, at 12 o'clock noon.

REED of Bowie,  
BURKETT.

The resolution was read second time.

Mr. Manning moved to table the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—75

|                  |             |
|------------------|-------------|
| Allison          | Hobbs       |
| Alsup            | Hoyo        |
| Avant            | Hughes      |
| Baker            | Hutchinson  |
| Bell             | Isaacks     |
| Brawner          | Jones       |
| Bray             | Kinard      |
| Bridgers         | Klingeman   |
| Brown            | Lansberry   |
| Bruhl            | Lehman      |
| Bundy            | Leyendecker |
| Burnaman         | Love        |
| Carlton          | McAlister   |
| Carrington       | McDonald    |
| Cato             | McGlasson   |
| Cleveland        | McMurry     |
| Coker            | McNamara    |
| Crossley         | Manford     |
| Crosthwait       | Manning     |
| Daniel           | Markle      |
| Davis            | Matthews    |
| Dickson of Bexar | Montgomery  |
| Dickson of Nolan | Morris      |
| Donald           | Pace        |
| Duckett          | Price       |
| Dwyer            | Ridgeway    |
| Ellis            | Rhodes      |
| Evans            | Roark       |
| Ferguson         | Skiles      |
| Files            | Spangler    |
| Fitzgerald       | Stanford    |
| Fuchs            | Stubbs      |
| Garland          | Thornton    |
| Hanna            | Wattner     |
| Hargis           | White       |
| Hartzog          | Whitesides  |
| Heflin           | Winfree     |
| Henderson        |             |

## Nays—52

|                  |                |
|------------------|----------------|
| Bailey           | Hileman        |
| Bean             | Howington      |
| Benton           | Humphrey       |
| Blankenship      | Kennedy        |
| Boone            | King           |
| Bullock          | Knight         |
| Burkett          | Little         |
| Chambers         | Lock           |
| Clark            | Lucas          |
| Craig            | Lyle           |
| Deen             | McCann         |
| Dove             | Moore          |
| Eubank           | Morgan         |
| Favors           | Murray         |
| Gilmer           | Parker         |
| Goodman          | Pevehouse      |
| Halsey           | Rampy          |
| Hardeman         | Reed of Bowie  |
| Harris of Dallas | Reed of Dallas |
| Helpinstill      | Roberts        |

|                   |             |
|-------------------|-------------|
| Sallas            | Taylor      |
| Senterfitt        | Turner      |
| Simpson           | Vale        |
| Smith of Atascosa | Voigt       |
| Spacek            | Walters     |
| Stinson           | Weatherford |

## Absent

|              |          |
|--------------|----------|
| Colson, Mrs. | Kelly    |
| Gandy        | McLellan |
| Howard       | Sharpe   |
| Huddleston   | Shell    |

## Absent—Excused

|                |                  |
|----------------|------------------|
| Allen          | Martin           |
| Celāya         | Mills            |
| Connolly       | Morse            |
| Harris of Hill | Nicholson        |
| Huffman        | Phillips         |
| Kersey         | Smith of Bastrop |
| Lowry          |                  |

## TO PROVIDE FOR ADJOURNMENT SINE DIE

Mr. Goodman offered the following resolution:

H. C. R. No. 196, To provide for Adjournment Sine Die.

Whereas, The 47th Legislature of Texas is now approaching in length of time, the longest Session in the history of the State; and

Whereas, The 47th Legislature has about completed the necessary legislation the people of Texas sent it here to do; and

Whereas, The 47th Legislature can complete its labors in the next eleven days; therefore be it

Resolved by the House, the Senate concurring, The 47th Legislature adjourn sine die on Thursday, June 12th, 1941, at 12 o'clock midnight.

GOODMAN,  
PARKER,  
ROBERTS,  
BURKETT,  
GARLAND,  
HANNA,  
BAILEY,  
BOONE,  
WHITE,  
HOYO,  
EVANS,  
HOWINGTON,  
CHAMBERS,  
BENTON,  
MARTIN,  
KENNEDY,  
SMITH of Atascosa,

KING,  
STUBBS,  
HARDEMAN,  
WALTERS,  
McCANN,  
ELLIS,  
HUDDLESTON,  
FAVORS,  
HELPIINSTILL,  
HILEMAN,  
HALSEY,  
RAMPY,  
KINARD,  
LYLE,  
MORGAN,  
CROSSLEY,  
MURRAY.

The resolution was read second time.

Mr. Love moved to table the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—64

|                  |             |
|------------------|-------------|
| Allison          | Hutchinson  |
| Avant            | Isaacks     |
| Brawner          | Jones       |
| Bray             | Kelly       |
| Bridgers         | Lansberry   |
| Brown            | Lehman      |
| Bruhl            | Leyendecker |
| Bundy            | Little      |
| Burnaman         | Love        |
| Carlton          | Lucas       |
| Carrington       | McAlister   |
| Cato             | McDonald    |
| Cleveland        | McGlasson   |
| Coker            | McLellan    |
| Crosthwait       | McMurry     |
| Davis            | McNamara    |
| Dickson of Bexar | Manford     |
| Donald           | Manning     |
| Duckett          | Markle      |
| Dwyer            | Montgomery  |
| Ellis            | Morris      |
| Files            | Pace        |
| Fitzgerald       | Rhodes      |
| Fuchs            | Roark       |
| Hargis           | Senterfitt  |
| Heflin           | Skiles      |
| Henderson        | Spangler    |
| Hobbs            | Stanford    |
| Hughes           | Stubbs      |
| Humphrey         | Thornton    |

Wattner  
Weatherford

Whitesides  
Winfree

Nays—61

|                  |                   |
|------------------|-------------------|
| Alsup            | Kennedy           |
| Bailey           | Kinard            |
| Baker            | King              |
| Bean             | Klingeman         |
| Benton           | Knight            |
| Blankenship      | Lock              |
| Boone            | Lyle              |
| Bullock          | McCann            |
| Burkett          | Matthews          |
| Chambers         | Moore             |
| Clark            | Morgan            |
| Craig            | Murray            |
| Crossley         | Parker            |
| Daniel           | Pevehouse         |
| Deen             | Price             |
| Dickson of Nolan | Rampy             |
| Dove             | Reed of Bowie     |
| Eubank           | Reed of Dallas    |
| Evans            | Ridgeway          |
| Favors           | Roberts           |
| Ferguson         | Sallas            |
| Gilmer           | Simpson           |
| Goodman          | Smith of Atascosa |
| Halsey           | Spacek            |
| Hanna            | Stinson           |
| Hardeman         | Taylor            |
| Harris of Dallas | Turner            |
| Hartzog          | Vale              |
| Helpinstill      | Voigt             |
| Howington        | Walters           |
| Hoyo             |                   |

Absent

|              |            |
|--------------|------------|
| Bell         | Howard     |
| Colson, Mrs. | Huddleston |
| Gandy        | Sharpe     |
| Garland      | Shell      |
| Hileman      | White      |

Absent—Excused

|                |                  |
|----------------|------------------|
| Allen          | Martin           |
| Celaya         | Mills            |
| Connelly       | Morse            |
| Harris of Hill | Nicholson        |
| Huffman        | Phillips         |
| Kersey         | Smith of Bastrop |
| Lowry          |                  |

A verification of the vote was requested.

Mr. Manning moved to dispense with the verification.

The motion prevailed by the following vote:

| Yeas—89          |                |
|------------------|----------------|
| Allison          | Isaacks        |
| Alsup            | Jones          |
| Avant            | Kelly          |
| Bailey           | Lansberry      |
| Baker            | Lehman         |
| Bell             | Leyendecker    |
| Benton           | Little         |
| Boone            | Lock           |
| Brawner          | Love           |
| Bray             | Lucas          |
| Bridgers         | Lyle           |
| Brown            | McAlister      |
| Bruhl            | McDonald       |
| Bullock          | McGlasson      |
| Bundy            | McLellan       |
| Burnaman         | McMurry        |
| Carrington       | McNamara       |
| Cato             | Manford        |
| Clark            | Manning        |
| Cleveland        | Markle         |
| Coker            | Montgomery     |
| Crosthwaite      | Murray         |
| Daniel           | Parker         |
| Dickson of Bexar | Reed of Dallas |
| Donald           | Ridgeway       |
| Dove             | Rhodes         |
| Duckett          | Roark          |
| Dwyer            | Sallas         |
| Ellis            | Senterfitt     |
| Ferguson         | Skiles         |
| Files            | Spacek         |
| Fitzgerald       | Stanford       |
| Fuchs            | Stinson        |
| Garland          | Stubbs         |
| Hargis           | Taylor         |
| Harris of Dallas | Thornton       |
| Hartzog          | Vale           |
| Heflin           | Voigt          |
| Helpinstill      | Walters        |
| Henderson        | Wattner        |
| Hileman          | Weatherford    |
| Hobbs            | White          |
| Howington        | Whitesides     |
| Hughes           | Winfree        |
| Humphrey         |                |

## Nays—34

|                  |           |
|------------------|-----------|
| Bean             | Hanna     |
| Blankenship      | Hoyo      |
| Burkett          | Kennedy   |
| Chambers         | Kinard    |
| Craig            | King      |
| Crossley         | Klingeman |
| Deen             | Knight    |
| Dickson of Nolan | McCann    |
| Eubank           | Matthews  |
| Evans            | Moore     |
| Favors           | Morgan    |
| Gilmer           | Pevehouse |
| Goodman          | Price     |
| Halsey           | Rampy     |

|               |                   |
|---------------|-------------------|
| Reed of Bowie | Smith of Atascosa |
| Roberts       | Spangler          |
| Simpson       | Turner            |

## Absent

|              |            |
|--------------|------------|
| Carlton      | Huddleston |
| Colson, Mrs. | Hutchinson |
| Davis        | Morris     |
| Gandy        | Pace       |
| Hardeman     | Sharpe     |
| Howard       | Shell      |

## Absent—Excused

|                |                  |
|----------------|------------------|
| Allen          | Martin           |
| Celaya         | Mills            |
| Connelly       | Morse            |
| Harris of Hill | Nicholson        |
| Huffman        | Phillips         |
| Kersey         | Smith of Bastrop |
| Lowry          |                  |

## TO PROVIDE FOR ADJOURNMENT SINE DIE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 64, To provide for Adjournment Sine Die.

Be it resolved by the Senate of the State of Texas, the House of Representatives concurring, That the Regular Session of the 47th Legislature of the State of Texas do stand adjourned sine die on Tuesday, June 3, 1941, at 12:00 o'clock noon.

The resolution was read second time.

Mr. Isaacks offered the following amendment to the resolution:

Amend Senate Concurrent Resolution No. 64, By striking out the words "adjourn sine die" and inserting in lieu thereof the word "recessed" and by adding after the word "noon" the following:

"For the period from that date and hour until Tuesday, July 22, 1941, at noon, when it shall again convene at the State Capitol;

"Be It Further Resolved, That during said period of recess the members of the Legislature shall draw no per diem for their services, and that all employees of both branches of the Legislature be discharged from service, and that the elective officers of the House and Senate be allowed no compensation during such recess, except such offi-

cers and employees as the President of the Senate and the Speaker of the House find necessary to retain."

ISAACKS,  
TAYLOR.

Mr. Love raised a point of order on further consideration of the amendment at this time, on the ground that the amendment is not germane to the resolution.

The Speaker sustained the point of order.

Mr. Hartzog offered the following amendment to the resolution:

Amend Senate Concurrent Resolution No. 64 by striking out the date June 3rd wherever it appears and insert in lieu thereof the following "Twelve (12) days after the departmental appropriation bill House Bill No. — is presented to the Governor."

Mr. Isaacks raised a point of order on further consideration of the amendment at this time, on the ground that the amendment would make the resolution vague and indefinite.

The Speaker sustained the point of order.

Mr. Blankenship offered the following amendment to the resolution:

Amend Senate Concurrent Resolution No. 64 by changing the word "third" to read "Saturday, June 13th."

Mr. Love raised a point of order on further consideration of amendments at this time, on the ground that the House by a suspension of the rules has cut off all debate and amendments.

The Speaker overruled the point of order.

Mr. Reed of Dallas offered the following substitute for the amendment by Mr. Blankenship:

Amend amendment to Senate Concurrent Resolution No. 64 to read "June 16, at 12 noon."

On motion of Mr. Fitzgerald the substitute amendment was tabled.

Mr. Manning moved to table the amendment by Mr. Blankenship.

Question recurring on the motion

to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

#### Yeas—65

|                  |             |
|------------------|-------------|
| Allison          | Jones       |
| Bailey           | Kelly       |
| Bell             | Lansberry   |
| Boone            | Lehman      |
| Brawner          | Leyendecker |
| Bray             | Little      |
| Bridgers         | Lock        |
| Brown            | Love        |
| Bruhl            | Lucas       |
| Bundy            | McAlister   |
| Burnaman         | McDonald    |
| Carlton          | McGlasson   |
| Carrington       | McLellan    |
| Cato             | McMurry     |
| Cleveland        | McNamara    |
| Coker            | Manford     |
| Craig            | Manning     |
| Crosthwait       | Montgomery  |
| Davis            | Morris      |
| Dickson of Bexar | Pevehouse   |
| Donald           | Rhodes      |
| Duckett          | Roark       |
| Files            | Senterfitt  |
| Fitzgerald       | Skiles      |
| Fuchs            | Spacek      |
| Hargis           | Stanford    |
| Heflin           | Stubbs      |
| Henderson        | Thornton    |
| Hobbs            | Weatherford |
| Hughes           | White       |
| Humphrey         | Whitesides  |
| Hutchinson       | Winfree     |
| Isaacks          |             |

#### Nays—61

|                  |                  |
|------------------|------------------|
| Alsup            | Goodman          |
| Avant            | Halsey           |
| Baker            | Hanna            |
| Bean             | Hardeman         |
| Benton           | Harris of Dallas |
| Blankenship      | Hartzog          |
| Bullock          | Helpinstill      |
| Burkett          | Hileman          |
| Chambers         | Howington        |
| Crossley         | Hoyo             |
| Daniel           | Kennedy          |
| Deen             | Kinard           |
| Dickson of Nolan | King             |
| Dove             | Klingeman        |
| Ellis            | Knight           |
| Eubank           | Lyle             |
| Evans            | McCann           |
| Favors           | Markle           |
| Ferguson         | Matthews         |
| Gilmer           | Moore            |

|                |                   |
|----------------|-------------------|
| Morgan         | Simpson           |
| Murray         | Smith of Atascosa |
| Pace           | Spangler          |
| Parker         | Stinson           |
| Price          | Taylor            |
| Rampy          | Turner            |
| Reed of Bowie  | Vale              |
| Reed of Dallas | Voigt             |
| Ridgeway       | Walters           |
| Roberts        | Wattner           |
| Sallas         |                   |

Absent

|              |            |
|--------------|------------|
| Clark        | Howard     |
| Colson, Mrs. | Huddleston |
| Dwyer        | Sharpe     |
| Gandy        | Shell      |
| Garland      |            |

Present—Not Voting

|                |                  |
|----------------|------------------|
| Allen          | Martin           |
| Celaya         | Mills            |
| Connelly       | Morse            |
| Harris of Hill | Nicholson        |
| Huffman        | Phillips         |
| Kersey         | Smith of Bastrop |
| Lowry          |                  |

Mr. McMurry moved to table the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—72

|                  |             |
|------------------|-------------|
| Allison          | Dove        |
| Avant            | Dwyer       |
| Bell             | Ellis       |
| Boone            | Ferguson    |
| Brawner          | Files       |
| Bray             | Fuchs       |
| Bridgers         | Hanna       |
| Brown            | Hargis      |
| Bruhl            | Henderson   |
| Bullock          | Hobbs       |
| Bundy            | Hughes      |
| Burnaman         | Humphrey    |
| Carlton          | Hutchinson  |
| Carrington       | Isaacks     |
| Cato             | Jones       |
| Clark            | Kelly       |
| Cleveland        | Klingeman   |
| Coker            | Lansberry   |
| Colson, Mrs.     | Lehman      |
| Daniel           | Leyendecker |
| Davis            | Little      |
| Dickson of Bexar | Lock        |
| Donald           | Lucas       |

|            |                   |
|------------|-------------------|
| McDonald   | Skiles            |
| McGlasson  | Smith of Atascosa |
| McLellan   | Spacek            |
| McMurry    | Spangler          |
| McNamara   | Stanford          |
| Manning    | Stubbs            |
| Markle     | Thornton          |
| Montgomery | Turner            |
| Morris     | Walters           |
| Ridgeway   | Weatherford       |
| Rhodes     | White             |
| Roark      | Whitesides        |
| Senterfitt | Winfree           |

Nays—56

|                  |                |
|------------------|----------------|
| Alsup            | Hoyo           |
| Bailey           | Kennedy        |
| Baker            | Kinard         |
| Bean             | King           |
| Benton           | Knight         |
| Blankenship      | Love           |
| Burkett          | Lyle           |
| Chambers         | McCann         |
| Craig            | Matthews       |
| Crossley         | Moore          |
| Crosthwait       | Morgan         |
| Deen             | Murray         |
| Dickson of Nolan | Pace           |
| Duckett          | Parker         |
| Eubank           | Pevehouse      |
| Evans            | Price          |
| Favors           | Rampy          |
| Fitzgerald       | Reed of Bowie  |
| Gilmer           | Reed of Dallas |
| Goodman          | Roberts        |
| Halsey           | Sallas         |
| Hardeman         | Shell          |
| Harris of Dallas | Simpson        |
| Hartzog          | Stinson        |
| Heflin           | Taylor         |
| Helpinstill      | Vale           |
| Hileman          | Voigt          |
| Howington        | Wattner        |

Absent

|            |           |
|------------|-----------|
| Gandy      | McAlister |
| Garland    | Manford   |
| Howard     | Sharpe    |
| Huddleston |           |

Absent—Excused

|                |                  |
|----------------|------------------|
| Allen          | Martin           |
| Celaya         | Mills            |
| Connelly       | Morse            |
| Harris of Hill | Nicholson        |
| Huffman        | Phillips         |
| Kersey         | Smith of Bastrop |
| Lowry          |                  |

COMMUNICATION

The Speaker laid before the House

and had read the following communication:

Jacksonville, Texas, May 30, 1941

Honorable Washington Whitesides,  
care House of Representatives,  
Austin, Texas.

Dear Mr. Whitesides: My mother and I are in receipt of letter dated the 26th from E. A. Lindley, Chief Clerk of the House of Representatives, enclosing a copy of House Simple Resolution No. 298.

May I, for our family, express to you and the House of Representatives our sincere appreciation and gratitude for the recognition paid my deceased father, John C. Box, and your kind references to his record.

We shall treasure the action of the House always. Your thoughtfulness and the thoughtfulness of the other two Representatives offering the Resolution is not only appreciated but is treasured as we treasure the expressions of my father's friends.

Very truly yours,  
JOHN C. BOX, JR.

RELATIVE TO HOUSE CON-  
CURRENT RESOLUTION  
NO. 193

Mr. Isaacks moved to suspend the Rules for the purpose of making a motion to reconsider the vote by which House Concurrent Resolution No. 193 was tabled, that he then might make a motion to reconsider the vote and spread on the Journal.

The motion to suspend the Rules was lost.

MESSAGE FROM THE SENATE

Austin, Texas, June 2, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. J. R. No. 1, Proposing an amendment to Art. VIII of the Constitution of the State of Texas, by adding thereto a new section to be known as "Sec. 7-a" providing that all road-user tax revenues shall be used exclusively for road purposes under the regulations prescribed by

the Legislature; etc., and providing for proclamation, publication and election and appropriating the necessary funds therefor.

Respectfully,

BOB BARKER,

Secretary of the Senate.

SENATE JOINT RESOLUTION ON  
FIRST READING

The following resolution, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

S. J. R. No. 1, to the Committee on Constitutional Amendments.

RESOLUTIONS SIGNED BY THE  
SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled resolutions:

S. C. R. No. 68, Endorsing foreign policies of President Roosevelt.

S. C. R. No. 67, Authorizing certain District Judges permission to be absent from the State.

H. C. R. No. 191, Expressing legislative intent in regard to House Bill No. 933.

HOUSE BILL ON FIRST READING

Mr. Dove moved to introduce at this time and have placed on first reading House Bill No. 1075.

The motion prevailed by the following vote:

Yeas—115

|             |                  |
|-------------|------------------|
| Allison     | Bundy            |
| Alsup       | Burkett          |
| Avant       | Burnaman         |
| Bailey      | Carlton          |
| Baker       | Carrington       |
| Bean        | Chambers         |
| Bell        | Cleveland        |
| Benton      | Coker            |
| Blankenship | Colson, Mrs.     |
| Boone       | Craig            |
| Brawner     | Crossley         |
| Bray        | Crothwait        |
| Bridgers    | Daniel           |
| Brown       | Deen             |
| Bruhl       | Dickson of Bexar |
| Bullock     | Dickson of Nolan |



|                  |                   |
|------------------|-------------------|
| Donald           | McCann            |
| Dove             | McDonald          |
| Duckett          | McGlasson         |
| Dwyer            | McMurry           |
| Ellis            | McNamara          |
| Eubank           | Manford           |
| Favors           | Manning           |
| Ferguson         | Markle            |
| Files            | Martin            |
| Gandy            | Matthews          |
| Garland          | Montgomery        |
| Goodman          | Morris            |
| Halsey           | Murray            |
| Hanna            | Pace              |
| Hardeman         | Pevehouse         |
| Hargis           | Price             |
| Harris of Dallas | Rampy             |
| Heflin           | Reed of Bowie     |
| Helpinstill      | Reed of Dallas    |
| Henderson        | Ridgeway          |
| Hileman          | Roark             |
| Hobbs            | Roberts           |
| Howington        | Sallas            |
| Hoyo             | Senterfitt        |
| Hughes           | Sharpe            |
| Hutchinson       | Shell             |
| Isaacks          | Simpson           |
| Jones            | Skiles            |
| Kelly            | Smith of Bastrop  |
| Kennedy          | Smith of Atascosa |
| Kinard           | Spacek            |
| King             | Spangler          |
| Klingeman        | Stubbs            |
| Knight           | Thornton          |
| Lansberry        | Turner            |
| Lehman           | Vale              |
| Leyendecker      | Voigt             |
| Little           | Walters           |
| Lock             | Wattner           |
| Love             | White             |
| Lucas            | Whitesides        |
| Lyle             |                   |

## Nays—2

McAlister

Parker

## Absent

Cato  
Clark  
Davis  
Evans  
Fitzgerald  
Fuchs  
Gilmer  
Hartzog  
Howard

Huddleston  
Moore  
Morgan  
Stanford  
Stinson  
Taylor  
Weatherford  
Winfree

## Absent—Excused

Allen  
Celaya  
Connelly

Harris of Hill  
Huffman  
Humphrey

|          |           |
|----------|-----------|
| Kersey   | Morse     |
| Lowry    | Nicholson |
| McLellan | Phillips  |
| Mills    | Rhodes    |

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Dove, Mr. Winfree, Mr. White, Mr. Bundy, Mr. Hobbs, Mr. Lucas, Mr. Knight, Mr. Hoyo, Mr. Deen, Mr. Benton, Mr. Morris, Mr. Chambers, Mr. Goodman, Mr. Evans, Mr. Burkett, Mr. Kelly, Mr. Stanford, Mr. Donald, Mr. Bridgers, Mr. Leyendecker, Mr. Spangler, Mr. Jones, Mr. Bruhl, Mr. Dwyer, Mr. Matthews, Mr. Little, Mr. Blankenship, Mr. Martin, Mr. Fuchs, Mr. McNamara, Mr. Roark, Mr. Burnaman, Mr. Favors, Mr. Dickson of Bexar, Mr. King, Mr. Cleveland, Mr. Turner, Mr. Hartzog, Mrs. Colson, Mr. Crosthwait, Mr. Weatherford, Mr. Halsey, Mr. Boone, Mr. Hardeman, Mr. Klingeman, Mr. Helpinstill, Mr. Hargis, Mr. Fitzgerald, Mr. Markle, Mr. Hileman, Mr. Heflin, Mr. Lock, Mr. Kinard, Mr. Thornton, Mr. Walters, Mr. Bell, Mr. McMurry, Mr. Lyle, Mr. Lansberry, Mr. Bray, Mr. Senterfitt, Mr. Brown, Mr. Ridgeway, Mr. Dickson of Nolan, Mr. Manning, Mr. Alsup, Mr. Simpson, Mr. Gandy, Mr. Manford, Mr. McCann, Mr. Allison, Mr. Coker, Mr. Voigt and Mr. Ellis:

H. B. No. 1075, A bill to be entitled "An Act amending Article 6205, Revised Civil Statutes of Texas, 1925, as amended by Chapter 153, Acts of the Regular Session of the Forty-first Legislature, as amended by Chapter 82, Acts of the Fifth Called Session of the Forty-first Legislature, as amended by Chapter 485, Acts of the Regular Session of the Forty-fifth Legislature; and declaring an emergency."

Referred to the Committee on State Affairs.

## ADJOURNMENT

Mr. Heflin moved that the House adjourn until 10:00 o'clock a. m. tomorrow.

Mr. Kinard moved that the House adjourn until 2:00 o'clock p. m. next Wednesday.

Mr. Eubank moved that the House adjourn until 10:00 o'clock a. m. next Wednesday.

The motion of Mr. Heflin prevailed and the House accordingly, at 6:20 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

### APPENDIX

#### STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Criminal Jurisprudence: H. B. No. 492.

Highways and Motor Traffic: H. B. No. 1074.

#### REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, June 2, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 983, "An Act repealing Article 1350, Revised Civil Statutes of Texas, 1925; amending Article 1351 so as to make the penalty therein provided apply specifically to Articles 1348 and 1349, Revised Civil Statutes of Texas, 1925; amending Article 1352, Revised Civil Statutes and Article 213, Penal Code of Texas, to prohibit corporations, their officers, directors, stockholders, employees, and agents acting in their behalf, from expending or promising to expend any money or thing of value in order to aid or hinder the nomination or election of any person to public office or to influence the vote on any question submitted to the voters; providing for an exception in elections directly affecting the granting, refusing, existence, or value of a franchise of a corporation which has the right of eminent domain, and providing that in such elections, all means of publicity employed by such corporation shall be identified as paid for by it; providing nothing in this subsection shall be construed as permitting any such corporation to expend or promise to

expend any money or thing of value in order to aid or hinder the nomination or election of any person to public office in this State; providing for the filing of accounts of expenditures made in connection with such elections by corporations, persons, partnerships, and associations, and limiting the amount thereof; providing penalties for corporations, their officers, directors, stockholders, employees, and agents violating this Act and increased penalties and forfeiture of charter or permit of such corporation on second and subsequent violations; providing penalties for persons, partnerships, and associations failing to make or falsely making required reports of expenditures in certain elections or exceeding authorized limits thereof; providing a saving clause; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 2, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 894, "An Act defining the jurisdiction of the County Court of Navarro County and diminishing its civil jurisdiction; providing that the District Court of Navarro County shall have jurisdiction in all civil matters over which by law the County Court would have original jurisdiction; providing for the transfer of certain civil causes from the County Court to the District Court of Navarro County; providing for transcript of all cases to be transferred; providing the Act shall not affect judgments heretofore rendered by said County Court in causes now transferred to the District Court of said County; providing for the repeal of all laws in conflict therewith; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 2, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 214, "An Act amending Article 1936, Title 15, Chapter 2 of the Code of Criminal Procedure of 1925, as amended by Chapter 75, page 113, Acts of the Regular Session of the Fortieth Legislature, and by Chapter 143, page 239 of the Acts of the Regular Session of the Forty-second Legislature, providing for the payment of witness fees by the State of Texas; prescribing the procedure to be followed in the payment thereof; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 2, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 191, Declaring the intent of the Legislature with respect to Sections 4 and 10 of House Bill No. 933, Acts of the Forty-sixth Legislature.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 2, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 686, "An Act amending Section 1 of Senate Bill No. 203, Chapter 168 of the General Laws of the Regular Session of the Forty-second Legislature, so as to authorize the State Parks Board to operate or grant concessions in State Parks and to operate concessions or make concessions contracts for any causeway, beach drive, or other improvements in connection with State Park sites; providing that the revenue thus earned shall when collected be placed in the State Treasury; authorizing the said Board to make such rules and regulations for the carrying out of this Act and the laws of this State relative to State Parks, as it may deem necessary not in conflict with law; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 2, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 180, Suspending the Joint Rules to permit the Senate to consider Senate Bill No. 488 and Senate Bill No. 486 on May 28th and 29th.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 2, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. J. R. No. 24, Proposing an Amendment to Article V of the Constitution of Texas by providing that the Legislature shall have the power, by local or general law, in counties having a population in excess of two hundred thousand (200,000) inhabitants to create other courts having exclusive jurisdiction or concurrent jurisdiction with the county court in civil, criminal or probate matters; fixing the time for an election therefor; prescribing the form of ballot; providing for a proclamation of such election and the advertisement thereof; and making an appropriation therefor.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

SENT TO THE GOVERNOR

June 2, 1941

House Bill No. 1065.

House Bill No. 7.

House Bill No. 214.

House Bill No. 686.

House Joint Resolution No. 24.

House Concurrent Resolution No. 183.

House Concurrent Resolution No. 189.

**In Memory of**

**Hon. Harold W. Broome**

---

Mr. Hardeman offered the following resolution:

H. S. R. No. 316, In Memory of Honorable Harold W. Broome.

Whereas, Honorable Harold W. Broome of San Angelo, Texas, met accidental death on May 28, 1941, in an automobile crash near Beeville; and

Whereas, He was one of the outstanding young men of San Angelo and whose active life touched the community in many civic enterprises; and

Whereas, He was born 40 years ago and attended the public schools of San Angelo and later graduating from the University of Texas where he was a member of the University Glee Club and drum major of the Texas Longhorn Band and served as secretary of the Athletic Association of the University and was official tennis champion of the City of San Angelo; and

Whereas, Among his varied civic interests he was a member of the City Park Board of San Angelo, having succeeded his late father in this capacity, a member of the committee to promote a 100-unit Federal Housing Project—the largest ever undertaken in the San Angelo section, and being a true sportsman was a director of and a member of the legislative committee of the West Texas Game and Fish Association, was the first manager of the Home Owners Loan Corporation in San Angelo and later served as district supervisor of West Texas, south of the T. & P. Railway from near San Antonio to El Paso, from which position he resigned to return to private business; and

Whereas, Mr. Broome was a member of the insurance and real estate firm of Broome & Hunter and was a director and secretary-treasurer of the Stockmen's Supply Company of San Angelo and was an active member of the First Methodist Church of San Angelo, being a member of its board of stewards at his death; and

Whereas, He was a member of the Rotary Club, and the San Angelo Real Estate Club, and a former member of the Lions Club, and during his membership in the Lions Club he was one of the organizers of the famous Lions Cowboy Band which traveled nearly 40,000 miles in the first five years of its existence and played before two Lions International Conventions and was honored by three countries, the United States, Mexico, and the Dominion of Canada, and which band represented Texas as Vice President Garner's personal band at his inauguration in 1933; and

Whereas, He was active in the San Angelo Fair Association and the San Angelo Fat Stock and Rodeo and in sponsoring boys' organizations, having been sponsor of the DeMolays, chairman of the senior Scout committee of the Concho Valley Council of Boy Scouts, and a commodore of sea scouting and chairman of the Ship Committee of Ship 5015 in San Angelo; and

Whereas, Harold W. Broome was an outstanding citizen of his community, contributing freely of his time and talents to the up-building thereof, characterizing the Rotary motto of "Service Above Self"; now, therefore, be it

Resolved by the House of Representatives of Texas, in recognition of this life of versatility and unselfish public service and useful citizenship, That a page in the Journal be dedicated to Honorable Harold W. Broome, upon which this resolution shall be spread, and that when the House adjourns today it do so in memory of this distinguished Texan; and be it further

Resolved, That the Chief Clerk of the House be directed to forward copies of this resolution under Seal of the House to the surviving widow and mother of the deceased.

HARDEMAN.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Anderson, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Rhodes, Ridgeway, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. Favors, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted by a rising vote.

**In Memory of**  
**Mrs. J. B. Atkinson**

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Mr. Hardeman offered the following resolution:

H. S. R. No. 317, In Memory of Mrs. J. B. Atkinson.

Whereas, In His infinite wisdom, God has called Mrs. J. B. Atkinson of Tom Green County, Texas, to rest from her earthly labors; and

Whereas, She was a member of one of the pioneer ranching families of West Texas, having also ranched in Mexico with her late husband; and

Whereas, She had attained the age of four-score years and three and been active with her late husband in promoting the best interests of the section in which she lived; and

Whereas, Mrs. Atkinson was a native of Arkansas, but came to Texas at an early age and after attending the public schools she married the late J. B. Atkinson, a native of Washington County, Texas, who was a minister of the Cumberland Presbyterian Church, as well as a ranchman; and

Whereas, Her late husband was a son of one of the Texas heroes in the Battle of San Jacinto and was a child during the War Between the States but the dark days of Reconstruction left its work on the spirit of her husband which was often reflected in his sermons and both he and Mrs. Atkinson were vigorous defenders of the Lost Cause of the Confederacy when the theory of that war came up for discussion; and

Whereas, Mrs. Atkinson reared a large family together with a host of friends who survive to mourn her passing; now, therefore, be it

Resolved by the House of Representatives, That the long, useful life of this pioneer West Texas ranchwoman be acknowledged by spreading this resolution upon a page of the Journal and that when the House adjourns today it do so in memory of Mrs. J. B. Atkinson; and be it further

Resolved, That a copy of this resolution be forwarded by the Chief Clerk under the Seal of the House of Representatives to the members of her family.

HARDEMAN.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Anderson, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston,

Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampsy, Reed of Bowie, Reed of Dallas, Rhodes, Ridgeway, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. Lansberry, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted by a rising vote.